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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(OS) 268/2018**

SH. PRAMOD KUMAR KHOSLA

..... Plaintiff

Through: Mr. S. C. Kalra, Adv

versus

SH. PRAVEEN KUMAR KHOSLA & ORS

..... Defendants

Through: Ms Jyoti Narang, Adv for D1 to 3.

File received from the Court of Sh Anil Kumar (DHJS) Joint Registrar (Judicial)

CORAM:

SH. RAJ KUMAR TRIPATHI (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

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28.01.2019

IA No.1273/2019 (u/S 151 CPC filed by D1 to 3 for seeking condonation of delay in re-filing of application for condonation of delay) &

IA No. 1272/2019 (u/S 151 CPC filed by D1 to 3 for seeking condonation of delay in filing of written statement)

Notice of IAs accepted by counsel for plaintiff who does not wish to file reply to the IAs. He submits that applications of defendants may be allowed, subject to costs.

For the reasons stated in the applications and submissions advanced by learned counsel for both the parties, delay in re-filing of application for condonation of delay and also the application for condonation of delay in filing of written statement by defendants 1 to



3 is hereby condoned, in the interest of justice, subject to payment of cost of Rs 2,500/- to counsel for plaintiff within a week.

Both the IAs are disposed of accordingly.

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Written statement alongwith affidavit for admission/denial of documents already filed by defendants 1 to 3 are directed to be taken on record, subject to payment of cost to counsel for plaintiff as directed.

Let replication alongwith affidavit for admission/denial of documents be filed by plaintiff within four weeks with advance copy to counsel for defendants.

Defendants 4 & 5 not served till date. Summons issued to them returned back unserved with report “ premises found locked”. Let fresh steps for service of defendants 4 & 5 by all permissible modes including dasti and electronic be taken by plaintiff within two weeks, returnable for next date of hearing, with directions to said defendants to file their response to the suit of plaintiff alongwith affidavit for admission/denial of documents within thirty days from the date of service of summons.

Renotify for service report qua defendants 4 & 5, completion of pleadings and marking of exhibits to the documents on 28.03.2019.

**RAJ KUMAR TRIPATHI (DHJS)
JOINT REGISTRAR (JUDICIAL)**

JANUARY 28, 2019

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