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

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CS(OS) 317/2018

SMT. MANJU GAIND

..... Plaintiff

Through: Mr. Ajay Gaind, Adv.

versus

SMT. KAMLA RANI & ORS

..... Defendants

Through: Mr. P. K. Rawal & Mr. Tarun  
Agarwal, Advs. for D-1 to 5

Mr. Ray Vikram Nath, Adv. for  
D-6

**CORAM:**

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA  
MAHENDRA, (DHJS)**

**ORDER**

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**13.02.2024**

**IA No.3090/2024 under Order VIII Rule 1 CPC moved  
by the defendant no.6 seeking condonation of delay in  
filing Written Statement**

The captioned IA has been filed by the defendant no.6 seeking condonation of delay of 2000 days in filing Written Statement. Learned counsel for the plaintiff accepts notice of the captioned IA and submits that he has no objection, if captioned IA is allowed.

Learned counsel for the defendant no.1 to 5 submits that the captioned IA needs to be dismissed *in limini* in view of law enunciated by the Hon'ble Delhi High Court in i) *Ms. Charu Agarwal Vs. Mr. Alok Kalia & Ors., 2023/DHC/001454* and ii) *Col Ashish Khanna SM Retd Vs. Delhi Gymkhana Club and Ors. in CS(OS) 171/2022 decided on 21.08.2023.*

On the other hand, learned counsel for the applicant/defendant no.6 has relied on the order passed by the Hon'ble Supreme court of India in the matter titled as *Bharat Kalra Vs. Raj Kishan Chabra in Civil Appeal No.3788/2022 [SLP (C) No.63 of 2022] decided on*



**09.05.2022**, wherein the delay of about 193 days was condoned by the Hon'ble Supreme Court of India in a non-commercial suit.

In view of submission made by learned counsels for the parties and at the joint request, the captioned IA may be before the Hon'ble Court on date already fixed i.e. 20.02.2024, for further directions.

**PRIYA MAHENDRA (DHJS)**  
**JOINT REGISTRAR (JUDICIAL)**  
**FEBRUARY13, 2024/ab**  
*[Click here to check corrigendum, if any](#)*