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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 2799/2014**
BCL SECURE PREMISES Plaintiff
Through Mr. Ankit Chaturvedi, proxy cl. For
Mr. Abhishek Malhotra, Adv.

versus
OM SAI ASSOTECH PVT LTD Defendant
Through Mr. Nimit Mathur proxy cl. For Mr.
Murari Kumar, Adv.

CORAM:
ASHUTOSH KUMAR (DHJS), JOINT REGISTRAR
(JUDICIAL)

ORDER
% **22.12.2015**

I.A. No.10098/2015 under Order XXXIII CPC moved on behalf of defendant

Learned proxy counsel for defendant has submitted that the present IA has been moved by the defendant for prosecuting the counter claim as an indigent person. Steps for issuance of notice to SDM concerned to file financial status report of defendant, have not been taken.

At request and in the interest of justice, last opportunity is granted to defendant. Issue fresh notice to SDM concerned to file financial status report of the defendant on filing of PF. Steps be taken within one week.

Re-notify for consideration on this IA on next date of hearing.

I.A. No.10099/2015 under Section 5 of Limitation Act r/w Section 148 & 149 CPC moved on behalf of defendant for condonation of delay of 27 days in filing of written statement.

Learned counsel for plaintiff has no serious objection to the IA.

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In view of the same, in view of the reasons mentioned in the application and in order to do substantive justice between the parties, the delay in filing of written statement is condoned, subject to payment of cost of Rs.5000/- by the defendant to the plaintiff.

IA is accordingly disposed of.

CS(OS) 2799/2014

Written statement of defendant is taken on record.

Plaintiff may file replication to the same within four weeks with copy thereof to opposite side.

Renotify the matter for completion of pleadings, on 22.04.2016.

**ASHUTOSH KUMAR (DHJS)
JOINT REGISTRAR (JUDICIAL)**

DECEMBER 22, 2015/ab