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

+ **CS(OS) 355/2018**

ANURADHA SEN MOOKERJEE Plaintiff

Through: **Mr.Rudra Dutta, Ms.Sayunkta Gupta
and Ms.Kashvi Dutta, Advs.(through
VC)**

versus

K.S. SAXENA & ANR. Defendants

Through: **Mr.Parth Tandon, Adv. for D1
(through VC)
Mr. Paritosh Dhawan proxy for
Mr.Dhanesh Relan, Adv. for D2.**

CORAM:

JOINT REGISTRAR (JUDICIAL) MS. SURYA MALIK GROVER (DHJS)

ORDER

% 14.12.2020

**Today is physical hearing of this Court vide office Order
No.7974/I/ORG./DHC/2020 dated 28.11.2020.**

Amended replication filed by plaintiff to amended written statement filed by defendant No.2 on 01.12.2020. Proxy counsel for defendant No.2 submits that copy thereof has not been received. Counsel for plaintiff submits that same has already been supplied, however, without prejudice, he will supply another copy to the proxy counsel present today through e-mail.

Counsel for plaintiff has submitted that cost in terms of previous order has been paid.

**IA No. 11956/2020 (under Section 151 CPC seeking condonation of
delay in filing amended written statement by defendant No.1)**

Submissions heard. Record perused.



Vide order dated 07.01.2020, two weeks' time had been granted to defendant No.1 to file amended written statement. It is stated that copy of amended plaint was supplied to him on 22.01.2020. Amended written statement was filed on 14.02.2020. As such, there is a delay of 9 days in filing written statement which has been cogently and sufficiently explained.

Accordingly, application is allowed and amended written statement is taken on record.

IA stands disposed of.

Replication be filed to the amended written statement of defendant No.1 within two weeks.

Thereafter, joint schedule of documents be filed by the plaintiff in accordance with amended Delhi High Court Rules. Both defendant no.1 and 2 are directed that they shall duly cooperate with plaintiff in timely preparation of joint schedule of documents.

IA No. 11957/2020, IA No. 11958/2020 and IA No. 11959/2020 (under section 151 CPC in compliance of order dated 25.02.2019 as directed by Hon'ble Court on 18.09.2019)

Learned counsel for defendant No.1 submits that there has been a nominal delay in moving the applications on account of Covid -19 pandemic situation.

Learned counsel for plaintiff has submitted that though there is delay in compliance of orders, he is not objecting to the applications, so as to avoid further delay in case proceedings.

Submissions heard. Record perused.

Applications stand allowed. Accordingly, quarterly statement of account along with bank statement for duration of Jan 2020 till March



2020, April 2020 till June 2020 and July 2020 till September 2020 are taken on record.

IAs stand disposed of.

List the matter for admission/denial and marking of exhibits on 29.01.2021 at 12 noon in physical hearing.

**SURYA MALIK GROVER (DHJS)
JOINT REGISTRAR (JUDICIAL)**

DECEMBER 14, 2020
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