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IN THE HIGH COURT OF DELHI AT NEW DELHI
CS(COMM) 1038/2016

M/S FUTURISTIC PROPERTIES PVT LTD Plaintiff

Through Mr. Avijit Singh, Adv.

versus

M/S KUNTH SECURITIES PVT LTD Defendant

Through Mr. Raginder Wali, Adv. For D-2

Ms. Sangeeta Jain, Adv. For D-3

CORAM:

SHARAD GUPTA (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% **23.10.2018**

IA No.11895/2016 u/O VII R 11 CPC moved by defendant no.2

It has been brought to my notice that there are two replies on the captioned IA on record. Rejoinder has not been filed by defendant no.2. At request, let same be filed within two weeks with copy to opposite side as last opportunity.

Re-notify for completion of pleadings on next date of hearing.

IA No.10970/2018 u/S 151 CPC moved by plaintiff for service of defendant no.1 through defendant no.3

Learned counsel for defendant no.3 submits that defendant no.3 is the director of defendant no.1 and that defendant no.3 has no objection to the captioned IA.

In view of the same and in view of no objection given by defendant no.3, the captioned IA stands allowed and defendant no.1 be served through defendant no.3 through all permissible modes for next date of hearing. IA is accordingly disposed of.

CS(COMM) 1038/2016 and IA no.4518/2016 u/O XXXIX R1&2 CPC

Defendant no.1 is yet to be served.

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Pleadings in the suit qua defendant no.2 are complete.

Defendant no.4 is already *ex-parte* and right of defendant no.5 to file written statement already closed.

On last date of hearing, it was submitted on behalf of plaintiff that application for waiver of cost had been filed but the same was not on record. The same has not been placed on record till date even advance copy of the same has not been supplied to defendant no.3. Plaintiff is accordingly directed to pay the previous cost by next date of hearing.

Learned counsel for defendant no.3 submits that the written statement of defendant no.3 be treated as reply to the captioned IA. Defendant no.2 has already stated that the written statement on behalf of defendant no.2 be treated as reply to the captioned IA. Thus pleadings qua defendant no.2&3 in the captioned IA are also complete.

Re-notify the matter for payment of previous cost, service of defendant no.1 on 10.12.2018.

SHARAD GUPTA (DHJS)
JOINT REGISTRAR (JUDICIAL)

OCTOBER 23, 2018/ab