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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. Sanjay Kumar, Adv.

versus

M/S KUNTH SECURITIES PVT LTD Defendant

Through Mr. Akram Pasha, Adv. for D-2

Mr. Y. R. Sharma, Adv. for D-3

CORAM:

SANJAY JINDAL (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% 16.11.2017

IA No.11895/2016 u/O VII R11 CPC by defendant no.2

No reply has been filed by plaintiff. Learned counsel for plaintiff seeks time to file reply. Same be filed within two weeks with copy to opposite side, who may file rejoinder thereto within two weeks thereafter.

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

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

Learned counsel for defendant no.2 submits that contents of his written statement may be treated as reply to the present IA.

Learned counsel for defendant no.3 submits that he will be filing the written statement within four weeks as defendant no.3 received summons only on 08.11.2017. Let written statement be filed by defendant no.3 as per law with copy to opposite side, who may file replication thereto within two weeks thereafter on receipt of the same. Defendant no.3 may also file reply to the captioned IA within two

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weeks with copy to opposite side, who may file rejoinder thereto within two weeks thereafter on receipt of the same.

No written statement has been filed by defendant no.5 even none is present on behalf of defendant no.5 though defendant no.5 was served on 21.08.2017. In the interest of justice, written statement be filed by defendant no.5 as per law with copy to opposite side, who may file replication thereto within two weeks thereafter on receipt of the same. Defendant no.5 may also file reply to the captioned IA within two weeks with copy to opposite side, who may file rejoinder thereto within two weeks thereafter.

Defendant no.4 had already held to be liable to be proceeded *ex-parte* vide order dated 02.02.2017.

As per office note, summons which was sent to defendant no.1 have been received back un-served with remarks 'no such firm'. Let fresh summons of the suit and notice of the captioned be issued to defendant no.1 after verification of address of defendant no.1 by all permissible modes.

Re-notify the matter for completion of service qua defendant no.1 and pleadings on 20.02.2018.

SANJAY JINDAL (DHJS)
JOINT REGISTRAR (JUDICIAL)

NOVEMBER 16, 2017/ab