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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. Ayush Sharma, Adv.

versus

M/S KUNTH SECURITIES PVT LTD Defendant

Through: Mr. Rajinder Wahi, Adv. for D-2

CORAM:

**SH. RAJ KUMAR TRIPATHI (DHJS), JOINT REGISTRAR
(JUDICIAL)**

**File received from the court of Sh. Sanjay Jindal (DHJS), Joint
Registrar (Judicial) who is stated to be on leave today.**

ORDER

% **28.05.2018**

Defendant no. 4 has been proceeded ex parte vide order dated 16.11.2017.

Right of defendant no. 5 to file written statement has already been closed vide order dated 21.03.2018.

Replication to written statement of defendant no. 2 and 3 not filed by plaintiff till date. Let replication to written statement of said defendants along with affidavit for admission/denial of documents be filed by plaintiff within six weeks from today positively, failing



which replication as well as affidavit for admission/denial of documents of plaintiff shall be taken on record only on deposition of cost of Rs. 5000/-.

Affidavit for admission/denial of document be filed by defendants within eight weeks with advance copy to counsel for plaintiff.

IA No. 11895/2016 (u/O VII R 11 filed by defendant no. 2)

Reply to IA not filed by plaintiff till date.

The advocate appearing on behalf of plaintiff submits that father of main counsel is in hospital and due to said reason, reply could not be prepared.

In the interest of justice, plaintiff is granted four weeks more time to file reply to IA of defendant no. 2. Thereafter, opportunity given to plaintiff for filing of reply would be closed.

IA No. 4518/2016 (u/O XXXIX R 1 and 2 filed by plaintiff)

Counsel for defendant no. 2 has already given statement in the court that written statement filed by defendant no. 2 be treated as reply to IA.

Defendant no. 1 not served till date.

Plaintiff did not file PF for publication of process against defendant no.1. In the larger interest of justice, plaintiff is granted one more opportunity for taking of necessary steps for service of defendant no. 1 in terms of order dated 19.12.2017.

Cost of Rs. 5000/- is imposed upon plaintiff for non-



compliance of previous directions of the court in respect of taking steps for service of process against defendant no.1.

Let necessary steps for service of defendant no. 1 be taken by plaintiff within a week from today positively.

Re-notify the matter for service report qua defendant no.1, completion of pleadings and marking of exhibits to the documents on 28.08.2018.

SH. RAJ KUMAR TRIPATHI (DHJS)
JOINT REGISTRAR (JUDICIAL)

MAY 28, 2018
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