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

+ **CS(OS) 395/2016**

SH CHARANJIV SINGH GADH Plaintiff

Through: Mr Neeraj Grover, Adv

versus

SH SARABJIT SINGH & ORS Defendant

Through: Mr Jagjit Singh, Adv for D1

Mr K. M Singh, Adv for D5 & 6

Mr Rakesh Mittal, Adv for D4

Mr Vikrant Pachnanda, Adv for D7

CORAM:

SH. AJAY KUMAR KUCHAR (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

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12.04.2017

Written statement has been filed by defendant No.1.

However, counsel for the plaintiff submits that it was filed beyond the period of limitation and without filing any application for condonation of delay.

Learned counsel for the defendant No.1 submits that he will move an appropriate application for condonation of delay.

Defendants 2 & 3 are reported to be unserved.

Written statement of defendant No.4 has already been filed.

No replication to the written statement of defendant No.4 was filed so far.

Learned counsel for the plaintiff seeks time to file the replication.

Let replication be filed within two weeks time with advance copy to the other side.

Learned counsel for the defendants 5 & 6 seeks time to file the written statement.

Let written statement be filed by defendants 5 & 6 in accordance with law with advance copy to the other side followed by replication within two weeks time thereafter.

Learned counsel for the defendant No.7/DDA submits that he has already filed the written statement. However, same is not on record.

Counsel to check up with the registry and get the same placed on record.

Plaintiff is directed to file the replication to the written statement of defendant No.7 within two weeks time.

Learned counsel for the plaintiff further submits that he has filed the affidavit of service stating that service has been effected on defendant No.2 by way of post.

However, process server report dated 03.03.2017 has reported that addressee is out of country and has gone to United States.

So far as defendant No.3 is concerned, as per the report he has left the address.

Learned counsel for the plaintiff submits that this is the only address available with him and he will move application seeking service of defendant No.3 by way of substituted service.

In the meanwhile, plaintiff is directed to take fresh steps for the service of defendants 2 & 3 on filing of PF, RC, Speed post and through approved courier including dasti.

Steps be taken within two weeks time.

Renotify this matter on 13.07.2017 for appearance of defendants 2 & 3, completion of pleadings and admission/denial.

SH. AJAY KUMAR KUHAR (DHJS)
JOINT REGISTRAR (JUDICIAL)

APRIL 12, 2017

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