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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 441/2018**
LAKHVINDER SINGH & ORS. Plaintiffs
Through: Mr. S. S. Oberoi, Adv

versus

DALJEET KAUR & ORS. Defendants
Through: Mr. Rishabh Pant, proxy counsel for Mr.
Aly Mirza, Adv for D1 to 3.
Mr. Pawan Mathur, Standing Counsel
for DDA.
Mr. Aakashdeep, Adv for D6 to 8.
Mr. Bharat Kumar, Adv for D12 & 13.

CORAM:

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

ORDER

% **31.07.2019**

**IA No. 10294/2019 (u/O VIII Rule 1 A r/w Section 151 CPC filed
by defendants 1 to 3 for exemption)**

Allowed, subject to all just exceptions.

Let documents, in accordance with law, be filed by defendants
1 to 3/applicants within four weeks, as prayed.

The IA stands disposed of accordingly.

**IA No. 10295/2019 (u/O VIII Rule 1 r/w Section 151 CPC
alongwith Section 5 of The Limitation Act filed by defendants 1 to
3 for condonation of delay in filing written statement) &
IA No. 10296/2019 (u/S 151 CPC filed by defendants 1 to 3 for
condonation of delay in re-filing of application under Order VIII
Rule 1A and Order VIII Rule 1 r/w Section 5 of The Limitation
Act)**

For the reasons stated in the applications and submissions
advanced by learned counsel for both the parties, delay as prayed in



the IAs, is hereby condoned.

Written statement, documents and affidavit for admission/denial of documents already filed by defendants 1 to 3 are directed to be taken on record, in the interest of justice.

IAs stand disposed of.

IA No. 5544/2019 (u/O VIII Rule 1 r/w Section 151 CPC filed by defendant No.12 & 13 for seeking condonation of delay in filing of written statement)

For the reasons disclosed in the application, submissions advanced by learned counsel for parties and as the applicants have already filed their response to the suit of plaintiffs and affidavit for admission/denial of documents, delay in filing of written statement by defendants is hereby condoned, in the interest of justice, subject to payment of cost of Rs 15,000/- which is to be deposited by applicants with Prime Minister's National Relief Fund. Proof of deposition of cost be furnished by applicants on or before the next date of hearing.

The IA stands disposed of accordingly.

CS(OS) 441/2018

As per office report, defendant No. 6, 7 & 8 have already been served on 31.10.2018 as reflected in the ordersheet dated 10.12.2018. There is no appearance on their behalf. They have also not filed their response to the suit of plaintiffs till date. Statutory period prescribed in CPC for filing of written statement by the said defendants has already expired. Hence, opportunity given to defendants 6 to 8 for filing of written statement is hereby closed.

Right of defendant Nos.4, 5, 9, 10 & 11 to file written statement has already been closed on 19.02.2019.



Written statement and affidavit for admission/denial of documents filed by defendant No.1 to 3, 12, 13 & 14.

Replication alongwith affidavit for admission/denial qua aforesaid defendants be filed by plaintiffs within four weeks.

List for completion of pleadings and marking of exhibits to the documents on 24.09.2019.

**RAJ KUMAR TRIPATHI (DHJS)
JOINT REGISTRAR (JUDICIAL)**

JULY 31, 2019

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