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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 441/2016

SHRI AKHIL KUMAR VASHNEY & ANR

..... Plaintiffs

Through Mr. Ashish Kapur, Adv.

versus

SHRI RAJIV KUMAR

..... Defendant

Through Mr. Y. K. Sharma, Adv.

CORAM:

**ASHUTOSH KUMAR (DHJS), JOINT REGISTRAR
(JUDICIAL)**

ORDER

% 13.02.2017

**CS(OS) 441/2016 and IA No.10794/2016 u/O XXXIX R1&2 CPC
moved by plaintiffs**

Written statement has been filed.

Learned counsel for defendant has admitted that there is delay of five days in filing of written statement. He also submitted that an application for condonation of delay in filing the same was re-filed vide diary no.46713 on 10.02.2017. Learned counsel for plaintiffs has no objection to the same.

In view of the same and in view of reasons stated, the delay in filing the written statement by defendant is condoned and said written statement of defendant is taken on record.

Reply to the captioned IA has already been filed.

Learned counsel for plaintiffs has submitted that replication in

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the suit and rejoinder in the captioned IA were not filed as an application u/O VI R17 CPC for amendment of the plaint has been moved by plaintiffs vide diary no.52617 on 10.02.2017. He undertakes to check up with the Registry and get the same placed on record. Learned counsel for defendant has admitted that copy of the same has already been received. He has further submitted that reply thereto shall be filed within one week.

List the matter before the Hon'ble Court on date already fixed there i.e. 27.02.2017, for further directions.

ASHUTOSH KUMAR (DHJS)
JOINT REGISTRAR (JUDICIAL)

FEBRUARY 13, 2017/ab