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

+ CS(OS) 437/2018, IA 15424/2018, IA 15424/2018, IA 17257/2018
IA 17262/2018, CRL.MA. 36005/18

KARN LUTHRA Plaintiff

Through: Sh. Manoj Kumar, Adv.
versus

SH. M.K. SUBBA Defendant

Through: Mr. Manish K. Srivastava, Mr. Hardik
Vashisht, Adv. for D-1(b)
Mr. Kunal Sabharwal, Mr. Deepak Mahajan,
Mr. Raghav Mittal, Mr. Shubham Madaan,
Adv. for D-1(d),(e) & (f).

CORAM:

JOINT REGISTRAR (JUDICIAL) MS. TYAGITA SINGH, (DHJS)

ORDER

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25.04.2024

Matter is taken up through physical hearing as well as video conferencing.

The present case has been transferred from the Court of Ld. Joint Registrar (Judicial) Sh. Devender Kumar Garg vide Order dated 19.03.2024 issued by Ld. Registrar (Original & JJ Sectt.)

Perusal of previous order reveals that defendant no.1(a) and 1(b) have filed separate Written Statements alongwith affidavits of admission/denial. Ld. Counsel for defendant no.1(b) has stated that plaintiff has not filed any replication to the Written Statement till date and statutory period of limitation for filing Replication has already expired.

Perusal of file noting reveals that replication has not been filed by plaintiff to the Written Statements of defendants no.1(a) and 1(b) till date. **Hence right of plaintiff to file replication to the Written Statement of defendant no.1(a) and 1(b) stands closed.**

CS(OS) 437/2018

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Ld. Counsel for defendant no.1(d),(e) and (f) has stated that they have adopted the previous Written Statement filed by defendant prior to his death.

Ld. counsel for plaintiff has stated that defendant no.1(c) was served way back in December 2022 but till date Written Statement has not been filed and time for filing Written Statement has already expired.

Ld. Counsel for defendant no.1 (d),(e) and (f) has stated that there are certain facts mentioned in the Written Statement of defendant no.1(a) and 1(b) to which he wants to file appropriate response. He is at liberty to file objections/ response within 6 weeks. All the defendants are directed to exchange their Written Statements with each other by way of e-mail.

IA 15425/2018 (Application u/S. 151 CPC filed by Defendant)

IA 17257/2018 (Application u/O XI Rule 12 & 14 CPC filed by Defendant)

IA 17262/2018 (Application u/S.45 of Evidence Act filed by Defendant)

CRL.MA. 36005/18 (u/S. 340 CPC filed by defendant)

Parties have stated that pleadings are already complete.

Be fixed for further proceedings with connected case CS(OS) 45/2018 on 07.08.2024.

**TYAGITA SINGH, (DHJS),
JOINT REGISTRAR (JUDICIAL)**

APRIL 25, 2024/sm