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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 219/2017

SH. KAPTAN SINGH

.....Plaintiff

Through: Mr. Aakash Dabas & Mr. Vinod
Sherawat, Advs. (joined through
VC)

versus

SH. LAL CHAND & ORS

.....Defendants

Through: Mr. U. M. Tripathi & Ms. Utsa
Srivastava, Advs. for D-7&8
(joined through VC)
Mr. Siddharth Shankar, Adv. for
D-9 (Mob.9811165700)
Mr. M. K. Singh, Adv. for D-11

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

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26.05.2025

**IA no.13450/2025 under Section 5 of Limitation Act
moved by the plaintiff seeking condonation of delay in
re-filing an application under Order I Rule 10 CPC**

1. Heard. In the interest of justice and subject to imposition of cost of Rs.3000/- is imposed upon the plaintiff to be deposited with Delhi High Court Legal Services Committee, the captioned IA stands allowed as prayed for. Accordingly, the captioned IA stands disposed of.

**IA No.13448/2025 under Order I Rule 10 CPC moved
by the plaintiff for impleadment of defendant no.12 to
17**

2. Learned respective counsels for the non-applicant present today accept notice of the captioned IA and seek sometime to file reply to the same.

3. Let reply to the captioned IA be filed by the defendants present today within three weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within three weeks with copy to the opposite side.



4. At request, issue notice of the captioned IA to proposed defendants i.e. defendant no.12 to 17 by all permissible modes on taking steps by the applicant, returnable for the next date of hearing.

5. Issue notice of the captioned IA to the remaining defendants through counsel by all modes on taking steps by the applicant, returnable for the next date of hearing.

Re-notify the captioned IA for completion of pleadings on the next date of hearing.

IA No.13449/2025 under Order XI Rule 1 CPC moved by the plaintiff

6. The applicant/plaintiff has not complied with the provision of Chapter VIII Rule 1 of Delhi High Court (Original Side) Rules as the plaintiff has not filed any application seeking condonation of delay in filing the captioned IA. Learned counsel for the plaintiff submits that he will do the needful in this regard.

Re-notify the captioned IA on the next date of hearing.

I.A. 5987/2024 under Order I Rule 10 of CPC moved by plaintiff for impleading of proposed defendants

7. At this stage, it is stated by learned counsel for the defendant no.7&8 that he does not wish to file any reply to the captioned IA as the captioned IA does not pertain to him.

8. Learned counsel for the defendant no.9 submits that he does not wish to file any reply to the captioned IA and will directly argue the same.

9. Learned counsel for the defendant no.11 seeks some more time to file reply to the captioned IA. At request, reply to the captioned IA be filed by defendant no.11



within three weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within two weeks thereafter with copy to the opposite side.

10. As per office note, proof of cost of Rs.3000/- filed by the plaintiff is on record. However, the plaintiff has not deposited the previous cost of Rs.5000/- as imposed vide last order dated 10.03.2025. At request, the same be deposited within two weeks with Delhi High Court Legal Services Committee and directed to file proof of cost with the registry.

11. At this stage, it is stated by learned counsel for the plaintiff that PF filed by the plaintiff for service of remaining defendants as well as other proposed defendants was not entertained by the registry as his another application i.e. IA no.13448/2025 for impleadment of defendant no.12 to 17 was not yet listed. At request, fresh notice of the captioned IA be issued to the remaining defendants through counsel as well as to the other proposed defendants by all permissible modes on taking steps by the applicant/plaintiff, returnable for the next date of hearing.

Re-notify the captioned IA for completion of pleadings/service on 04.09.2025.

**PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MAY 26, 2025/ab

[Click here to check corrigendum, if any](#)