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

+ CS(OS) 280/2017

MRS. LATA SINGH & ORS

..... Plaintiff

Through: Ms. Mansi Sharma & Mr. Aveak  
Ganguly, Advocates.

versus

MR. MANBIR SINGH & ORS

..... Defendant

Through: Mr. Raj Kumar, Adv. (Enrl.No. D-  
3573/17) for D-1 & 2  
Mr. Kapil Lalwani, Adv. for LRs of  
D-3  
Mr. R.B. Pandey and Mr. G.B.  
Pandey, Advocates for D-5

**CORAM:**

**SH. VIJAY SHANKAR (DHJS), JOINT REGISTRAR  
(JUDICIAL)**

**ORDER**

% **24.05.2019**

**I.A.No. 3939/2019 under Order 8 Rule 1 r/w Section 151 CPC filed on  
behalf of the plaintiffs seeking closure of the right of the defendant no.1  
& 2 to file written statement**

It is submitted by counsel for the plaintiffs that she is not pressing Prayer 'B' as mentioned in the aforesaid application and liberty be granted to her to file fresh application in this regard. Heard. Request is allowed.

Counsel for the defendant no.1 & 2 accepts the notice of the aforesaid

application. It is submitted by Counsel for the defendant no.1 & 2 that he will file vakalantama within a week.

Arguments heard on the aforesaid application of the plaintiffs. Perused the material available on record. In the present case, defendant no.1 & 2 were served on 25/08/2017. Till date, the defendant no.1 & 2 have not filed the written statement and the statutory period for filing the written statement has already been expired. No reasonable explanation has been furnished by counsel for the defendant no.1 & 2 for not filing the written statement in the present case. In view of the same, the present application of the plaintiffs is allowed. Right of the defendant no.1 & 2 for filing the written statement stands closed.

IA stands disposed of.

**I.A.No. 16795/2018 under Order 22 Rule 4 r/w Section 151 CPC filed by the plaintiff for substitution of LRs of the deceased defendant no.3**

It is submitted by counsel for LRs of the defendant no.3 that he may be permitted to file death certificate of the defendant no.3 during the course of the day. Heard. Request is allowed.

At joint request, re-notify the matter for consideration on the aforesaid application on **26<sup>th</sup> August, 2019.**

**VIJAY SHANKAR (DHJS)  
JOINT REGISTRAR (JUDICIAL)**

**MAY 24, 2019/nk**