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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 1136/2018**
MR. TOSHIAKI AIBA AS THE BANKRUPTCY TRUSTEE OF
THE ESTATE OF VIPAN KUMAR SHARMA

..... Plaintiff

Through: Ms. Savita Sarna, Ms. Manila Munjal,
Ms. Natasha Sahni & Ms. Raveena
Verma, Advocates.

versus

MR. VIPAN KUMAR SHARMA & ANR.

..... Defendant

Through: Mr. Divyakant Lahoti & Ms. Amrita
Grover, Advocates for D-2

CORAM:
SH. VIJAY SHANKAR (DHJS), JOINT REGISTRAR
(JUDICIAL)

ORDER
% **28.01.2019**

I.A.No. 1154/2019 under Order 8 Rule 9 CPC of the plaintiff seeking leave of the court to file subsequent pleadings after written statement as filed by the defendant no.2

It is submitted by counsel for the plaintiff that she wishes to withdraw the aforesaid application. Heard. Not opposed.

At the request of counsel for the plaintiff, the aforesaid application stands disposed of as withdrawn.

I.A.No.17326/2018 under Section 151 CPC filed by the plaintiff for filing the amended memo of parties to provide the additional address of the defendant no.1

It is submitted by counsel for the plaintiff that by way of present

application, the plaintiff is seeking permission to file additional address of the defendant no.1. The application is opposed by counsel for the defendant no.2

Arguments heard on the aforesaid application of the plaintiff. Perused the material available on record. Considering the facts, circumstances and in view of the submissions made, aforesaid application of the plaintiff is allowed. Amended memo of parties already stated to be filed.

IA stands disposed of.

I.A.No. 17843/2018 under Section 5 of the Limitation Act filed on behalf of the defendant no.2 for condonation of delay in filing written statement and

I.A.No. 17844/2018 under Section 151 CPC filed on behalf of the defendant no.2 for exemption from filing original documents and fair typed copies of illegible/dimmed documents of all annexures

It is submitted by counsel for the defendant no.2 that the defendant no.2 has filed the written statement vide diary no. 555851 on 12/12/2108. However, the written statement of the defendant no.2 has not come on record. It is submitted by counsel for the defendant no.2 that he will take appropriate steps in respect of the written statement.

It is submitted by counsel for the plaintiff that she does not wish to file reply to the aforesaid applications.

At request, re-notify the matter for clarifications/arguments on the aforesaid applications on **11th April, 2019.**

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

JANUARY 28, 2019/nk