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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 606/2016**

S JASBIR SINGH CHHATWAL Plaintiff

Through Mr. Paritosh Budhiraja, Adv.

versus

S DARSHAN SINGH & ORS Defendant

Through M s. Suman Malhotra, Adv. for D-1.

Mr. Saurabh Bhatia, Adv. for D-6.

CORAM:

SANJAY JINDAL (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% **20.03.2018**

IA No. 15203/2017 u/O VIII R 1 CPC filed on behalf of defendant no. 2 for condonation of delay in filing of written statement.

No reply to the above captioned has been filed by the plaintiff and it is submitted by learned counsel for plaintiff that he has no objection if the present application is allowed.

I have carefully perused the record in light of submissions made before me.

In the entirety of facts and circumstances in general and no objection given by learned counsel for plaintiff in particular, the application is considered and allowed. Written statement filed by defendant no. 2 is formally taken on record.

IA stand disposed of.

CS(OS) 606/2016

Written statement of defendant no. 2 has been formally taken on record. Let replication be filed by the plaintiff within two weeks with advance copy.

No replication has been filed by the plaintiff to the written

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statement of defendant no. 1 despite last opportunity granted on last date of hearing. Learned counsel for plaintiff seeks further opportunity to file replication but in view of clear observation given on last date of hearing in this regard, no ground for further opportunity is made out. Hence, the right of plaintiff to file replication to the written statement of defendant no. 1 is closed.

Defendant no. 3 was held liable to be proceeded against ex-parte vide order dated 24.04.2017.

Defendant nos. 4 & 5 are still un-served. It is stated that appropriate application shall be filed for service of said defendants during course of day.

Learned counsel for defendant no. 6 states that copies have not been supplied by plaintiff as per previous directions/undertaking. It is submitted by learned counsel for plaintiff that he has already sent the copies on the address of learned counsel for defendant no. 6 but learned counsel for defendant no. 6 states that he has not received the copies. Learned counsel for defendant no. 6 states that he himself will collect the copies from the chamber of learned counsel for plaintiff today itself and will file written statement within four weeks.

Let written statement be filed by defendant no. 6 within four weeks with advance copy to learned counsel for plaintiff who may file replication within two weeks thereafter with advance copy.

Put up for completion of pleadings on 17.05.2018.

SANJAY JINDAL (DHJS)
JOINT REGISTRAR (JUDICIAL)

MARCH 20, 2018/pk