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

+ **CS(OS) 440/2017**

**COMMONWEALTH GAMES VILLAGE APARTMENT OWNERS
ASSOCIATION** Plaintiff

Represented by: Mr. Mahesh Shrivastava, Mr.
Ujjal Banerjee and Mr. Akash
Khurana, Advocates.

versus

**EMAAR MGF CONSTRUCTION PVT. LTD.
AND ORS** Defendants

Represented by: None.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **15.09.2017**

I.A. No. 10692/2017 (Exemption)

Allowed, subject to all just exception.

I.A. No. 10691/2017 (delay of five days in refiling the suit)

1. By this application the plaintiff seeks condonation of delay of five days in refiling the suit.
2. Learned counsel for the plaintiff submits that even if the suit was filed on the date of refiling, it is within the period of limitation.
3. Thus for the reasons noted in the application and in view of the statement of the learned counsel for the plaintiff delay of five days in refiling the suit is condoned.

I.A. No. 10690/2017 (under Section 149 CPC)

1. Learned counsel for the plaintiff submits that the requisite court fee will be deposited within one week.

CS(OS) 440/2017

Page 1 of 2



2. Application is disposed of permitting the plaintiff to deposit the court fee within one week.

CS(OS) 440/2017 and I.A. No. 10688/2017 (under Order XXXIX Rule 1 and 2 CPC) I.A. No. 10689/2017 (under Section 80 CPC seeking exemption from giving notice to defendant No.10)

1. Plaint be registered as suit.
2. Issue summons in the suit and notice in the applications to the defendants on the plaintiff taking steps through ordinary and dasti process and all other modes including email, returnable on 10th October, 2017 before the learned Joint Registrar for completion of service, pleadings and admission/denial of the documents.
3. List before Court on 17th January, 2018.

MUKTA GUPTA, J.

SEPTEMBER 15, 2017
‘yo’

CS(OS) 440/2017

Page 2 of 2