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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 440/2017**
COMMONWEALTH GAMES VILLAGE APARTMENT OWNERS
ASSOCIATION

..... Plaintiff

Through Mr. Ujjal Banerjeet, Adv.

versus

EMAAR MGF CONSTRUCTION PVT. LTD. AND ORS

..... Defendant

Through Mr. Skhitij Parashar, Adv for D-1.
Mr. Sarad Kumar Sunny, Adv. for
D-2 to 5.
Mr. Pawan Mathur, Adv. for DDA.

CORAM:

SANJAY JINDAL (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% **09.04.2018**

CS(OS) 440/2017, IA No. 10688/2017 u/O XXXIX R 1 & 2 CPC
and IA No.10689/2017 u/sec. 80 CPC.

Pleadings qua defendant nos. 2 to 5 and 10 already complete.

Written statement already filed by defendant no. 1 in terms of order dated 22.01.2018. Advance copy and cost also paid. Replication has been filed qua written statement of defendant no. 1 on 03.04.2018. Copy already received by defendant no. 1. It is pointed out that one application for condonation of delay in filing of replication has been filed by plaintiff vide diary no. 98411 dated 03.04.2018 but no such application is available on record, though copy already received by learned counsel for defendant on 2.04.2018.

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Learned counsel for plaintiff undertakes to check the same with the Registry and to do the needful to bring the same on record.

Learned counsel for defendant nos. 6 to 10 submitted that he has also filed an application u/O I R 10 CPC on behalf of defendant nos. 7 to 9 but the said application is also not on record. A similar contention was made on behalf of said defendants on 12.01.2018. He undertakes to check the same with the Registry and do the needful in this regard.

Affidavit of admission/denial already filed by plaintiff but no such affidavit has been filed by any of the defendants. It is submitted by learned counsel for defendant no. 1 that since the replication has been filed with a delay alongwith some additional documents and same has not so far been formally taken on record, no affidavit has been prepared and filed by the defendant no. 1.

IA No. 14017/2017 u/O I R 3(10) CPC filed by defendant no. 6.

At request, let rejoinder may be filed within two weeks with advance copy to learned counsel for plaintiff.

Put up for completion of pleadings and consideration on next date of hearing.

IA No. 14941/2017 u/O I R 10 CPC filed by defendant nos. 2 to 5.

Pleadings are complete.

Put up for consideration on 16.05.2018.

**SANJAY JINDAL (DHJS)
JOINT REGISTRAR (JUDICIAL)**

APRIL 09, 2018/pk