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

+ **CS(OS) 426/2017**

SATISH KUMAR @ SATISH GOYAL Plaintiff

Through: Mr. V K. Jain & Mr. Atul Verma, Advs

versus

LATA JAIN & ORS. Defendants

Through: Mr. Sanjeet Singh, Adv for D1 to 5.

Mr. Prashant Shekhar, Adv for D6.

Ms. Kaanan Gupta, Adv for D8.

Mr. Rajat Mathur & Mr. Ankit Singh,

Advs for D9 to 11.

CORAM:

**SH. RAJ KUMAR TRIPATHI (DHJS), JOINT REGISTRAR
(JUDICIAL)**

ORDER

% **14.09.2018**

IA No. 9923/2018 (under Section 151 CPC filed by defendant No. 6 for condonation of delay)

Notice of IA has been served upon counsel for plaintiff.
Affidavit of service filed by applicant.

Heard on IA. Record perused.

For the reasons disclosed in the application and submissions advanced by learned counsel for both the parties, the delay in filing of written statement by defendant No.6 is condoned, in the interest of justice, subject to payment of cost of Rs 5,000/- payable to counsel for plaintiff within a week.

IA stands disposed of.



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Pleadings qua defendants 10 & 11 are complete.

Counsel for defendant No.8 has already given statement that defendant No.8 does not wish to file written statement.

Replication to the written statement of defendants 1 to 5 & 9 not filed by plaintiff till date. Counsel for plaintiff submits that he could not file replication to the written statement of defendants as cost in terms of order dated 28.05.2018 was not paid. Cost in terms of said order paid by counsel for defendants 1 to 5 to counsel for plaintiff in the Court.

Let replication to the written statement of aforesaid defendants alongwith affidavit for admission/denial of documents be filed by plaintiff within two weeks with advance copy to counsel for defendants.

Defendants are directed to file their affidavit for admission/denial of documents within four weeks with advance copy to counsel for plaintiff.

Summons not issued to defendant No.7 as steps not taken by plaintiff. Counsel for plaintiff submits that despite best efforts made by plaintiff, fresh address of defendant No.7 could not be obtained. He further submits that he would be moving appropriate application for substituted service of defendant No.7 within a week. Let necessary steps for service of defendant No.7 be taken by plaintiff within a week.



Renotify for service report qua defendant No.7, completion of pleadings and marking of exhibits to the documents on 07.12.2018.

**SH. RAJ KUMAR TRIPATHI (DHJS)
JOINT REGISTRAR (JUDICIAL)**

SEPTEMBER 14, 2018
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