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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 398/2017

SHRI PUNIT CHITKARA

.....Plaintiff

Through: Mr. Pushkar Khanna & Ms.
Samvartika Pathak, Advs.

versus

SHRI GAGAN PREET SINGH & ORSDefendants

Through: Mr. N. K. Kukreja, Adv. for
D-1&6

(Appearance not given by D-3)
(joined through VC)

(Appearance not given by D-4)

Mr. Arush Kumar Malhotra,
Adv. for D-7&8 (joined through
VC)

None for D-5

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

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21.01.2025

**IA No.47827/2024 under Order VIII R 1 CPC moved
by D-3 for condonation of delay in filing Written
statement**

1. Learned counsel for the plaintiff seeks sometime to file reply to the same. Let reply to the captioned IA be filed by the plaintiff within three weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within two weeks thereafter with copy to the opposite side.

2. The applicant is directed to supply copy of the captioned IA to all the other non-applicants except the plaintiff within one week through email.

Re-notify the captioned IA for completion of pleadings/consideration on the next date of hearing.

**IA No.46923/2024 under Section 151 CPC moved by
defendant no.5 seeking condonation of delay in filing
amended Written Statement**

3. Learned counsel for the defendant no.7&8 already



stated that he does not wish to file any reply to the captioned IA as the same does not pertain to him.

4. Learned counsel for the plaintiff accepts notice and seeks sometime to file reply to the same. Let reply to the captioned IA be filed by the plaintiff within three weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within two weeks thereafter with copy to the opposite side.

5. The applicant is directed to supply copy of the captioned IA to all the other non-applicants except the plaintiff within one week through email.

Re-notify the captioned IA for completion of pleadings/consideration on the next date of hearing.

IA No.46493/2024 under Section 5 of Limitation Act moved by the defendant no.4 seeking condonation of delay in filing amended Written Statement

6. Learned counsel for the defendant no.3 already stated that he does not wish to file any reply to the captioned IA as he has no objection to the captioned IA.

7. Learned counsel for the plaintiff accepts notice and seeks sometime to file reply to the same. Let reply to the captioned IA be filed by the plaintiff within three weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within two weeks thereafter with copy to the opposite side.

8. The applicant is directed to supply copy of the captioned IA to all the other non-applicants except the plaintiff within one week through email.

Re-notify the captioned IA for completion of pleadings/consideration on the next date of hearing.

CS(OS) 398/2017



9. As per office note, amended Written Statement and documents filed by defendant no.5 have been placed by the registry. Further, Vakalatnama and amended Written Statement filed by defendant no.4 are also on record.

10. However, applications seeking condonation of delay in filing amended Written Statement filed by defendant no.4&5 are pending consideration.

11. Further, Written Statement filed by defendant no.3 is lying under objections. Learned counsel for the defendant no.3 is directed to take requisite steps as per law to bring the same on record. Further, an application seeking condonation of delay in filing Written Statement filed by defendant no.3 is also pending consideration.

13. It is stated by learned counsel for the defendant no.1&6 that he does not wish to file any Written Statement to the amended plaint.

14. As per office note further, Replication alongwith documents filed by the plaintiff qua the Written Statement of defendant no.7&8 has been placed by the registry.

15. At this stage, it is stated by learned counsel for the plaintiff that he has also filed an application seeking condonation of delay in filing Replication and an application for placing the documents on record filed with Replication vide diary no.5417659 & 5417599, respectively. The same are not on record. Learned counsel for the plaintiff is directed to take requisite steps within one week to bring the same are on record.

15. It is stated by learned counsel for the defendant no.7&8 that he has received copy of the said applications but does not wish to file any reply to the same.



16. In the present matter, the registry is also directed to ensure the service of all the documents, applications/pleadings between the defendants *inter se* before placing the same on record.

Re-notify the matter for completion of pleadings/further proceedings on date fixed i.e. 11.02.2025.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
JANUARY 21, 2025/ab

Click here to check corrigendum, if any