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

+ CS(OS) 13/2018

KRISHNA NAGPAL AND ORS Plaintiffs

Through: Mr. Surendra Kumar, Adv. for P3 & 4
(M: 9910860320, Email:
surendra.law@gmail.com)

versus

SANJAY NAGPAL AND ORS Defendants

Through: Mr. Sanjeev Goyal, Ms. Sharda Jha,
Adv. For D1 with D1 in person
Mr. Sanyat Lodha, Mr. Lavam Tyagi,
Adv. For D8 & 9

CORAM:

Dr. JAGMINDER SINGH (DHJS) JOINT REGISTRAR (JUDICIAL)

ORDER

% **10.01.2024**

I.A. No. 17648/2023(Application behalf of defendant no.1 under Section 151 of CPC read with Section 5 of Limitation Act for condonation of delay of 103 days in filing the reply to application under Order XXII Rule 9 read with Order XXII Rule 2 and Order XXII Rule 4 read with Section 151 of CPC and application under Section 5 of Limitation Act filed on behalf of plaintiff no.3 and 5)

Reply to this application has not been filed. Learned counsel for plaintiff seeks some more time to file the reply.

Let reply be filed within four weeks, with advance copy to the opposite party. Rejoinder, if any, be also filed within two weeks thereafter.

I.A. No. 5294/2023(Application on behalf of plaintiff nos.3 and 5 under Order XXII Rule 9 read with Order XXII Rule 2 and Order XXII Rule 4 CPC, 1908 r/w Section 151 CPC for setting aside abatement qua defendant nos. 3 and 7 and for impleadment of legal heirs of defendant no.3 (Rakesh Nagpal) and for causing an entry of the demise of the



defendant no.7, i.e., Sh. Ravi Narang to be made on the records of the case in terms of Order XXII Rule 2 CPC and proceed with the adjudication of the above titled suit)

I.A. No. 5295/2023(Application on behalf of the plaintiff nos. 3 and 5 under Section 5 of the Limitation Act, 1963 for condonation of delay in filing the application Order XXII Rule 9 read with Order XXII Rule 2 and Order XXII Rule 4 CPC, 1908 r/w Section 151 CPC)

Reply to these applications has already been filed on behalf of defendants no. 1, 8 & 9. Copy of the same has been received by the learned counsel for the plaintiff.

Learned counsel for plaintiff submitted that he does not wish to file any rejoinder to the reply filed by defendants no. 8 & 9 but will file rejoinder to the reply of defendant no. 1.

Let same be filed within four weeks, with advance copy to the opposite party so that pleadings may be completed in these IAs before next date of hearing.

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Written statement has been filed on behalf of defendants no. 1, 8 & 9. Copy of the same has been received by the opposite party. No written statement has been filed by other defendants.

Suit qua defendants no. 3 & 7 has already been abated.

No written statement has been filed on behalf of defendants no. 2 & 5 despite service.

As per office noting, defendants no. 4 & 6 have not yet been served.

Let fresh summons be issued to defendants no. 4 & 6 on filing of PF, through all approved modes including *dasti*.



Put up for clarification regarding service of defendants no. 4 & 6 and completion of pleadings qua the remaining defendants for 13.05.2024.

Dr. JAGMINDER SINGH (DHJS)
JOINT REGISTRAR (JUDICIAL)

JANUARY 10, 2024/sms