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

+ CS(OS) 13/2018

KRISHNA NAGPAL AND ORS

..... Plaintiff

Through: Mr. Vivek Vidyarathi, Mr.
Sugriva Vidyarathi, Mr. Vikram
Bhaskar, Savvagya Vidyarathi &
Mr. Shivam Bajpai, Advs. for P-
3 & 5

versus

SANJAY NAGPAL AND ORS

..... Defendant

Through: Mr. Sanjay Goyal, Adv. for D-1
Suit stands abate qua D-3 & 5
vide order dated 23/08/2022
Mr. Sanyat Lodha, Adv. for D-8
& 9 (through VC)

**CORAM:
JOINT REGISTRAR (JUDICIAL) SH. MANISH
SHARMA, (DHJS)**

ORDER
30.09.2024

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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)

1. No reply to the captioned IA has been filed.
2. Let the pleadings be completed as per law.

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)

3. Reply to the captioned IAs has been filed on behalf of defendant no.1 as well as by defendant nos.8 & 9.
4. Let the pleadings be completed as per law.

I.A.No.12615/2019 (under Order VIII Rule 1 CPC filed on behalf of defendant no.1 seeking condonation of delay in filing the written statement)

5. Learned counsels for the parties seek time to clarify about the captioned IA.
6. Re-notify the captioned IA for clarifications/consideration on the next date of hearing.

CS(OS) 13/2018; I.A.No.629/2018 (under Order XXXIX Rule 1 & 2 CPC) &

7. As per office note, court notice issued to plaintiff no.2 has been served. None has appeared on behalf of plaintiff no.2 despite service.
8. Service report of the court notice issued to plaintiff no.3 & 5 is awaited. However, Mr. Vivek Vidyarathi, Advocate has appeared on behalf of the plaintiff nos.3 & 5 and submits that he needs time to inspect the case file and make appropriate submissions. He seeks time to file vakalantama. Let the same be filed within a week.



9. Let the pleadings be completed as per law.
10. Re-notify the matter for completion of pleadings and admission/denial of documents on **10th December, 2024.**

MANISH SHARMA, (DHJS)
JOINT REGISTRAR (JUDICIAL)
SEPTEMBER 30, 2024/nk
[Click here to check corrigendum, if any](#)