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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(COMM) 686/2023

NEERAJ SARAN SRIVASTAVA & ANR.Plaintiff

Through: Mr. Achuthan Sreekumar,
Mr. Rohil Bansal, Mr. Swastik
Bisarya, Mr. Sudeep Vijayan,
Mr. Tanmaya Dhari Sinha,
Advocates

versus

LOUDON OWEN & ORS.Defendant

Through: Mr. Tushar Singh (VC),
Advocate for D-1.
Mr. Abhimanyu Chopra,
Mr. Varun Lamba, Mr. Aman
Chaudhary, Mr. Kushagra Jain,
Advocates for D-2.
Mr. Teejveer Bhatia, Advocate
for D-3.

CORAM:

JOINT REGISTRAR (JUDICIAL) Dr. AJAY GULATI

ORDER


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11.07.2024

I.A No. 32933/2024 filed by D-1 to condone the delay of 4 days in filing the rejoinder in the I.A. No. 3177/2024 (for rejection of plaint).

1. Issue notice.
2. Notice accepted by ld. Counsel for the plaintiff.
3. Ld. Counsel for the plaintiff submits that delay cannot be condoned in view of the order dated 05.03.2024 wherein the Hon'ble Court had granted a strict timeline to file replies and rejoinder and it was further highlighted by the Hon'ble Court that no further opportunity shall be given to any party to seek



extension of time to file  and rejoinders. I.A No. 3177/2024, in regard to which the present rejoinder is to be filed, was taken up by the Hon'ble Court on 05.03.2024 when the present suit i.e. CS(COMM) 686/2023 was taken up by the Hon'ble Court.

4. Ld. Counsel for the plaintiff as also for the applicant submit that this matter be put up before the Hon'ble Court. Accordingly, this IA be put up before the Hon'ble Court for further directions.

I.A No. 32934/2024 filed by D-2 seeking striking off the replication filed by the plaintiffs.

5. Issue notice.

6. Notice accepted by ld. Counsel for the plaintiff. Let the response be filed within two weeks with an advance copy of the same to ld. Counsel for the applicant.

I.A. No. 7655/2024 filed by the plaintiff seeking condonation of delay of one day in filing the replication qua defendant no. 1.

7. Pleadings are complete.

8. Ld. Counsel for defendant no. 1 has placed reliance on Delhi High Court Rules (2018) on the Original side and observations made by the Hon'ble D.B of Delhi High Court in *Ram Sarup Lugani & Anr. vs. Nirmal Lugani & Ors. FAO (OS) 47/2020 decided on 19.10.2020*, to contend that the delay in filing replication can be condoned by the Hon'ble Court and not by the Joint Registrar. Consequently, matter be put up before the Hon'ble Court.



I.A. No. 32131/2024 filed by D-1 seeking striking off the replication filed by the plaintiffs.

9. Reply has been filed by the plaintiff and is on record. Rejoinder, if any be filed within two weeks. Since this IA is connected with IA No. 7655/2024, this IA be also put up before the Hon'ble Court for further directions.

I.A. No. 7656/2024 filed by the plaintiff seeking condonation of delay of one day in filing the replication qua defendant no. 2.

10. Pleadings are complete.

11. Ld. Counsel for defendant no. 2 has placed reliance on Delhi High Court Rules (2018) on the Original side and observations made by the Hon'ble D.B of Delhi High Court in *Ram Sarup Lugani & Anr. vs. Nirmal Lugani & Ors. FAO (OS) 47/2020 decided on 19.10.2020*, to contend that the delay in filing replication can be condoned by the Hon'ble Court and not by the Joint Registrar. Consequently, matter be put up before the Hon'ble Court.

I.A. No. 32078/2024 filed by D-2 seeking condonation of delay in filing rejoinder in I.A. No. 3190/2024 (rejection of plaint).

12. Reply has been filed and is on record. Defendant no. 2 has already been granted a timeline to file a rejoinder.

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13. Matter is already listed before the Hon'ble Court for 29.07.2024.



14. Put up before the Hon'ble Court on the date already fixed
i.e. 29.07.2024, for further directions.

**Dr. AJAY GULATI (DHJS),
JOINT REGISTRAR (JUDICIAL)**

JULY 11, 2024/sk

Click here to check corrigendum, if any