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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 34/2016
MAHENDER KAUR

..... Petitioner
Through Mr.V.P.Katiyar and Mr. Mohd. Shamim,
Advocates.

versus

DEEPAK MALHOTRA

..... Respondent
Through None.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER
% **15.01.2016**

C.M. No.1343/2016 (exemption)

Exemption is allowed subject to just exceptions. Application disposed of.

CM(M) 34/2016& C.M. No.1342/2016

Petitioner is aggrieved by the order dated 10.12.2015 vide which the limitation for filing application seeking leave to defend had been granted w.e.f. 10.12.2015 and rightly so as the learned ARC noted that although service had been effected on Deepak Malhotra on 02.11.2015 yet an application had been filed immediately thereafter i.e. on 04.11.2015 before the learned ARC where it has been pointed out by the respondent that certain pages of certain documents i.e. page nos.2,4,10,12,14 and 16 were missing. The set being incomplete, the learned ARC had directed that the complete set of paper book be

furnished to the respondent/tenant and accordingly limitation for filing application seeking leave to defend would commence from that date.

The discretion exercised by the learned ARC calls for no interference as the learned ARC had rightly observed that it was not a case of inordinate delay in filing application seeking a legible copy of the missing documents; the application had been filed immediately on receipt of summons.

In this background, the impugned order calls for no interference.

Dismissed.

INDERMEET KAUR, J

JANUARY 15, 2016

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