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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 2760/2015**
SH ANIL KHANNA & ANR Plaintiffs
Through Mr. Manik Ahluwalia, Adv.
versus
EARTH INFRASTRUCTURES LTD & ANR Defendants
Through Mr. Anshul Mittal, Adv.

CORAM:

ASHUTOSH KUMAR (DHJS), JOINT REGISTRAR
(JUDICIAL)

ORDER

% **18.03.2016**

CS(OS) 2760/2015

As per office note, defendant no.1 & 2 were served on 19.10.2015 & 20.10.2015 respectively.

Mr. Anshul Mittal, Adv. (Enrl. No.D-1194/2012, Chamber No.178, Delhi High Court) has entered his appearance on behalf of both defendants and has submitted that complete copies have not been supplied, to which learned counsel for plaintiff has submitted that complete set of copies were sent earlier alongwith summons and false plea of non supply of complete copies has been raised to delay the matter and since the stipulated statutory period for filing of written statement has expired, therefore, their right to file written statement may be closed.

Admittedly no written communication was given to learned counsel for plaintiff for supply of deficient copies and even no IA in this regard was moved by the defendants. Since the present matter is in the category of transfer matters and this Court has become functus

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officio, therefore, the above point raised by learned counsel for plaintiff shall be considered by the Successor Court.

In view of notification no.27187/DHC/Orgl. Dated 24.11.2015, the present matter stands transferred. Parties are directed to appear before the Court of Ld. District Judge, (Headquarter) (Central), Tis Hazari Court Complex, Delhi on 31.08.2016 at 10.00 a.m.

ASHUTOSH KUMAR (DHJS)
JOINT REGISTRAR (JUDICIAL)

MARCH 18, 2016/ab