

**4 CS (COMM.) 5794/24**

**Sh. Naipal Singh Vs. Gurbakhsh Singh B A Builders Pvt Ltd**

**07.02.2026 (At 10:47AM)**

Present : Sh. B.K. Pandey, Ld. Counsel for the plaintiff.

Sh. Manoram Nigam, Ld. Counsel for the defendant  
through video conferencing with Sh. Mandeep  
Singh, Ld. counsel in person.

Submissions heard in respect of date of filing of  
Statement of Truth and in respect of an application filed by  
defendant seeking waiver of the cost.

Today contrary to stand taken on 30.10.2025 before  
this court, ld. counsel for defendant conceded that the Statement  
of Truth was not filed within 10 days from 30.04.2025, as per  
opportunity given by this court. Screen shot relied upon by  
defendant itself shows that it was filed online on 19.08.2025.  
Thus, it is well apparent that on one hand compliance was not  
done and opportunity was not taken as per given time frame and  
on the other hand wrong contentions and stand were taken before  
the court on 30.10.2025 and adjournment was caused  
unnecessarily and frivolously. Therefore, there cannot be a  
question for waiving of cost for causing adjournment on  
30.10.2025.

Ld. counsel for plaintiff contested this Statement of  
Truth stating that same has been filed beyond the period of 120  
days i.e. the maximum permissible period to file written  
statement. Statement of Truth bears a number of hand made  
additions and admittedly same were not made by the person who  
was the relevant person to make such Statement of Truth. Thus, a

question of validity of this Statement of Truth was also raised. Matter is passed over as counsel for defendant is not properly able to make his submissions through video conferencing. By next call, counsel for defendant shall have his final stand qua this Statement of Truth.

Matter is passed over.

**Pulastya Pramachala**  
**District Judge (Commercial Court)-01**  
**Patiala House Court, New Delhi.**  
07.02.2026

**07.02.2026 (At 1:26PM)**

Present : Sh. B.K. Pandey, Ld. Counsel for the plaintiff.

Sh. Mandeep Singh, Ld. counsel for the defendant.

Ld. counsel for the defendant prays for giving one opportunity to file the rectified Statement of Truth and submits that he has nothing more to state. Keeping in view the fact that written statement was already filed, but supporting Statement of Truth was not properly filed, for which opportunity was given to the defendant to file rectified Statement of Truth, I do not want to non-suit the defendant for this reason. Though defendant is obviously culprit for delaying the matter by not pursuing the case diligently and by filing correct Statement of Truth in accordance with law. This would be last opportunity for defendant to file Statement of Truth without any mistake and in proper format strictly as per provisions of Commercial Courts Act, subject to cost of Rs.10,000/- to be paid to plaintiff maximum by next date

of hearing. This Statement of Truth should be filed within 4 working days including hard copy of the same with advance copy to the counsel for plaintiff.

Put up for framing of issues and case management hearing on 09.03.2026.

**Pulastya Pramachala**  
**District Judge (Commercial Court)-01**  
**Patiala House Court, New Delhi.**  
07.02.2026