

16 CS (COMM) 93/25

IDBI BANK LIMITED Vs. M/S SHREE SHYAM GARMENTS

21.04.2026

Present: Sh. Sachin Chaudhary, Ld. counsel for the plaintiff.
Sh. Prem Shankar, Ld. counsel for the defendant no. 2, who is appearing online on CISCO Webex on behalf of the defendant no. 2.
Sh. Brijesh Kumar Sharma, Ld. counsel for the defendant no. 3 who is appearing online on CISCO Webex on behalf of the defendant no.3.
Defendant No. 1 has already been proceeded ex-parte.

Perusal of the record of the case reveals that the defendant no. 2 has already filed the Written Statement, Statement of Truth, an application under Order VIII Rule 1 of CPC seeking condonation of delay together with the vakalatnama. Copies thereof stand already supplied to the Ld. counsel for the plaintiff.

Replication to the written statement of the defendant no. 2 has been filed by the plaintiff. Copy stands supplied to the Ld. counsel for the defendant no.2.

Ld. counsel for the defendant no. 2, however, admits that the affidavit of admission / denial of documents on behalf of defendant no. 2 has not been filed on record till date.

At the request of Ld. counsel for the defendant no. 2, 15 days more time is granted to file the affidavit of admission / denial of documents on behalf of the defendant no. 2 with advance copy thereof to the Ld. counsel for the plaintiff.

In the case in hand, defendant no. 2 has already filed on record the application under Order VIII Rule 1 of CPC seeking condonation of delay in filing the written statement, which has been stated by the defendant no. 2 of 30 days in the above said application.

During the course of arguments in the above said application, Ld. counsel for the plaintiff has fairly stated that keeping in view the medical ground, the above said application may be allowed. As such, the application seeking condonation of delay in filing the written statement by the defendant no. 2 is allowed. WS filed by the defendant no. 2 is hereby taken on record. The application under Order VIII Rule 1 of CPC stands disposed off.

The affidavit of admission / denial of the documents shall also be filed on record by the plaintiff on or before the next date.

Thereafter, the present matter shall be taken up for framing of issues on **25.05.2026**.

RAJ KUMAR
District Judge (Commercial Court)-01,
(SW)-Dwarka Courts, Delhi
21.04.2026