

11 CS (COMM) 300/25
SUCHITA SINGH Vs. KOMAL PRASAD

24.09.2025

Present: Sh. Aditya Pratap Singh, Ld. counsel for the plaintiff, who is appearing online through CISCO Webex on behalf of the plaintiff.

Sh. Himanshu Rathore, Ld. proxy counsel for the defendant.

The order-sheet dated 23.08.2025 reveals that the defendant was served on 02.08.2025. Written statement has not filed within the period of 30 days from the date of service of the defendant.

Report of the Ahlmad shows that the written statement has been filed together with the list of documents and affidavit of admission / denial of the documents and the vakalatnama as well only on 09.09.2025, which is apparently beyond the period of 30 days if counted from the date of service. However, it is seen that the written statement filed by the defendant is not signed on each and every page thereof and same is not as per the provisions of the Commercial Courts Act.

Ld. counsel for the plaintiff also states that the defendant is deliberately delaying the proceedings of the present matter and the copy of the written statement together with the documents placed on record by the defendant and the copy of the application under Order VII Rule 11 CPC, which is filed on record by the defendant on 22.09.2025 have not been supplied to him.

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In these circumstances, since the written statement has not been filed within the period of 30 days from the date of service and since the written statement is not signed on each and every page thereof, subject to costs of Rs. 5000/-, to be paid by the defendant to the Ld. counsel for the plaintiff, defendant is granted 7 days more time to rectify the defects and file the written statement containing the signatures of the defendant on each and every page thereof.

Copies of the signed written statement together with the list of the documents and affidavit of admission / denial of the documents and the application under Order VII Rule 11 CPC shall also be supplied within 15 days from today to the Ld. counsel for the plaintiff.

Costs of Rs. 5000/- shall also be paid by the defendant to the Ld. counsel for the defendant on the next date.

Plaintiff may file the replication together with the reply to the application under Order VII Rule 11 CPC of the defendant with advance copy thereof to the opposite party.

The present matter shall be taken up for completion of pleadings, reply & arguments on the application under Order VII Rule 11 CPC and for payment of costs of Rs. 5000/- by the defendant to the Ld. counsel for the plaintiff on **25.10.2025**.

RAJ KUMAR
District Judge (Commercial Court)-01,
(SW)-Dwarka Courts, Delhi
24.09.2025