

**Suit No. 399/20**  
**M/s Ahaan Infrastructure Pvt. Ltd. vs M/s Flying Hospitality &**  
**Ors.**

05.01.2023

Present: Ms. Dhriti Bhatia, Proxy Counsel for the plaintiff.  
Dr. R. S. Sasan, Ld. Counsel for the defendant.

Ld. Counsel for the defendant submits that the advance copy of the reply to the application under Order 12 Rule 6 CPC was supplied to Ld. Counsel for the plaintiff.

However, the reply is not on record and there is also not mentioned the same being filed on record in any of the order sheet.

Ld. Counsel for the defendant submits that though the reply was filed on 24.03.2021 but he will file the copy of the same again.

Let the same be filed on or before NDOH.

During the course of the arguments on the application, Ld. Counsel for the defendant has submitted that the plaintiff has not mentioned in the plaint about the MOM entered between the parties dated 28.11.2019 which was subsequent contract entered between the parties.

In view of the same, it would be appropriate that the plaintiff be filed the replication to the written statement of the defendant before deciding the application under Order 12 Rule 6 CPC.

Proxy Counsel for the plaintiff submits that the plaintiff will file the replication on or before NDOH with advance copy to the opposite party.

**In view of the same, put up for filing replication and for arguments on the application under Order 12 Rule 6 CPC on 03.04.2023.**

(VINOD KUMAR GAUTAM)  
ADJ-07(W)/THC COURTS  
05.01.2023(k)