

CS (Comm) No. 77/2026

Rakhi Sharma Proprietor BMR

Vs.

Delhi Tourism & Transportation Development Corporation Ltd.

23.04.2026

Present : Ms. Neeru Nagpal and Sh. Arvind Kumar Nagpal,
Ld. Counsels for the plaintiff.
Sh. Vipin Rathi and Ms. Dilpreet Kaur, Ld. Counsels
for the defendant.
Sh. Ram Niwas, Law Manager of the defendant
through VC.

Since the matter was fixed for plaintiff evidence.

At this stage, Ld. Counsel for the defendant submits that he had filed the written statement alongwith an application U/o I Rule 10 (2) read with Section 151 CPC for the impleadment of DSEU to the array of parties, affidavit of admission/denial, list of documents alongwith documents, application U/o VII Rule 11 CPC for rejection of plaint and application U/o VIII Rule I read with Section 151 of CPC seeking condonation of delay in filing the written statement. He further submits that he had also filed an application U/o 47 read with Section 114 of CPC for review of order dated 02.04.2026.
Heard.

Record perused. Submission of Ld. Counsel for defendant finds placed.

At this stage, Ld. Counsel for the defendant submits he has supplied the copies of aforesaid documents to the Ld. Counsel for the plaintiff.

At this stage, Ld. Counsel for the plaintiff submits that she had filed an application U/s 151 seeking rectification of apparent typographical error in the order dated 13.02.2026, which is pending. Heard.

Record perused. Submission of the Ld. Counsel for the plaintiff also finds placed.

Ld. Counsel for the plaintiff submits that defendant was served on 02.02.2026 but in the order dated 13.02.2026, it has been typed as 09.02.2026 instead of 02.02.2026. Heard.

Record perused. From the perusal of report of process server, it revealed that the defendant was served on 09.02.2026 and there is no apparent typographical error in the order dated 13.02.2026. Accordingly, the application of the plaintiff U/s 151 seeking rectification of apparent typographical error in the order dated 13.02.2026 is disposed of as dismissed.

At this stage, Ld. Counsel for the plaintiff submits that she is not willing to file any reply to the applications of the defendant, one U/o VIII Rule I read with Section 151 of CPC seeking condonation of delay in filing the written statement and another U/o 47 read with Section 114 of CPC for review of order dated 02.04.2026. She further submits that the plaintiff has no objection to these applications and the court may pass any order, in the interest of justice. Heard.

At this stage, Ld. Counsel for the defendant submits that there is delay of 08 days in filing the written statement as the written statement was e-filed on 19.03.2026 and hard copy of the same was filed on 02.04.2026. He prayed for condonation of delay in filing the written statement on the ground that the summons of the suit was received by the department on 09.02.2026 but the delay occurred because of preparation of WS

and other applications only after receipt of para wise comments alongwith relevant documents from the department on 05.03.2026. Heard.

Keeping in view the submissions made by Ld. Counsels the parties, both the applications U/o VIII Rule I read with Section 151 of CPC and U/o 47 read with Section 114 of CPC are disposed of as allowed. Accordingly, the delay in filing the written statement is condoned and the written statement is taken on record.

At this stage, Ld. Counsel for the plaintiff submits that she wants to file reply to the applications, one U/o I Rule 10 (2) read with Section 151 CPC for the impleadment of DSEU to the array of parties and another application U/o VII Rule 11 CPC for rejection of plaint. Heard.

Ld. Counsel for the plaintiff is directed to file reply to the applications U/o I Rule 10 (2) read with Section 151 CPC and U/o VII Rule 11 CPC on or before the next date of hearing with advance copy to the opposite side.

Matter is adjourned.

Matter be listed for reply and arguments on the applications U/o I Rule 10 (2) read with Section 151 CPC and U/o VII Rule 11 CPC of the defendant on 14.05.2026.

(Ramesh Kumar-II)
District Judge (Commercial Court)-08
Central, Tis Hazari Courts, Delhi
23.04.2026