

CS (Comm) No. 988/2023
Dentsply India Pvt. Ltd. Vs. Mr. M.S. Diwan

02.02.2024

Present: Ms. Shivali Singh, Id. counsel for plaintiff through VC.
Mr. Raj Vardhan, Id. counsel for defendant through VC.

Application for condonation of delay filed by defendant is pending.
Arguments heard.

Although summons were served on the defendant much earlier but complete copy was supplied to the defendant some time after 20.09.2023. There is dispute regarding the exact date of supply of complete copy after 20.09.2023. The WS has been filed on 02.01.2024 which is undisputedly within 120 days from 20.09.2023.

Considering the overall facts and circumstances and to avoid any further multiplicity, the application filed by defendant is allowed subject to cost of Rs. 5000/- payable to plaintiff and delay in filing of WS is condoned.

Matter is now adjourned for filing of replication, admission/denial and framing of issues on **04.03.2024**.

(SANJAY JINDAL)
District Judge, Commercial Court-04
West District Tis Hazari Courts
Delhi/ 02.02.2024(pk)