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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(COMM) 25/2023

SWISS BIKE VERTRIEBS GMBH SUBSIDIARY OF

ACCELL GROUP

.... Plaintiff

Through: Mr. Gautam Kumar, Ms. Shivani
Singh, Advocates

versus

RELIANCE BRANDS LIMITED (RBL) Defendant

Through: Mr. Chirag Ahluwalia, Advocate

CORAM:

**JOINT REGISTRAR (JUDICIAL) Dr. AJAY
GULATI (DHJS)**

ORDER

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15.03.2024

Ld. Counsel for the defendant submits that plaintiff's application for seeking condonation of delay in filing the replication, in regard to which specific objection was recorded by Id. Predecessor on 20.03.2023, is yet to be listed.

In response, Id. Counsel for the plaintiff submits that the application had been filed but has not been listed yet, possibly on account of objection. The Registry records have been checked from the diary number under which the application has been filed. The application was filed on 05.04.2023. Same was marked as defective and was sent for re-filing on 24.05.2023. Since then, no steps have been taken by the plaintiff to check up the status of the application. Plaintiffs counsel has been informed today by the court that the application has been returned for re-filing. Patently, there would be a huge delay in re-filing. Anyways Ld. Counsel for the plaintiff is permitted ten



days to take steps to re-file the application which shall be taken up on merits when it is listed.

Ld. Counsel for the defendant has also highlighted that on 19.01.2023, plaintiff was permitted to file certain additional documents within four weeks. However, the documents were filed after about eight weeks without any application seeking condonation of delay and till date, apparently, no application has been moved for seeking condonation of delay in filing those additional documents. Further, another set of additional documents were filed on 10.04.2023. However, no permission has been sought from the Hon'ble Court to place on record those additional documents, as per the submission of ld. Counsel for the defendant.

The Registry records show that the additional documents filed on 10.04.2023 are on record.

In view of the above, ld. Counsel for the plaintiff is directed to do the needful.

Put up for completion of pleadings on 05.07.2024.

**Dr. AJAY GULATI (DHJS),
JOINT REGISTRAR (JUDICIAL)**

MARCH 15, 2024/sk

[Click here to check corrigendum, if any](#)