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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(COMM) 187/2025

BRILLTECH ENGINEERS PRIVATE LIMITED

..... Plaintiff

Through: Mr. Ankur Singhal & Ms.
Himanshi Sisodiya, Advs.
(appeared through VC)

versus

NKG INFRASTRUCTURE LIMITED AND ANR

..... Defendant

Through: Mr. Manish Gupta, Mr. Shaurya
A. Singh, Ms. Payal Singh, Ms.
Riya & Ms. Shipra Bhardwaj,
Advs. for D-1
Mr. Jasbir Bidhuri, Adv. For D-2

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. MANISH
SHARMA, (DHJS)**

ORDER

17.10.2025

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**I.A.No.6737/2025 (under Order VIII Rule 1 CPC filed
on behalf of defendant no.1 seeking condonation of
delay in filing the written statement)**

1. It is averred in the captioned IA that the defendant no.1 was served with summons of the suit on 18.03.2024, however, could not file the written statement as the counsel engaged by defendant no.1 sought discharge and returned the case file to defendant no.1. It is further averred that thereafter, the defendant no.1 engaged new counsel. It is further averred that delay occurred as the documents are voluminous and the concerned official had to visit Delhi multiple times from Vijayawada to



assist the counsel. prayed that delay was not intentional and delay of 27 days may be condoned.

2. Learned counsel for the plaintiff submits that there is delay more than 27 days, however, he has no objection, if the application is allowed subject to cost.
3. Heard. Record perused.
4. In view of the averments made in the captioned IA and also in view of the submission made by learned counsel for the plaintiff, the captioned IA is allowed subject to cost of Rs.2,000/- to be paid by the defendant no.1 to learned counsel for the plaintiff. Delay in filing written statement and affidavit of admission/denial of documents is condoned and the same are taken on record.
5. IA stands disposed of.

I.A.No.6740/2025 (under Section 151 CPC filed on behalf of the plaintiff seeking exemption for deficiency in payment of requisite court fee)

6. Learned counsel for the plaintiff submits that the captioned IA may be disposed of as infructuous as the plaintiff has already filed the court fee.
7. Heard.
8. In view of the submission made by learned counsel for the plaintiff, the captioned IA is dismissed as infructuous.
9. IA stands disposed of.

I.A.No.6741/2025 (under Order II Rule 2 CPC filed on behalf of defendant no.1 seeking leave to sue for reliefs)

10. Learned counsel for the defendant no.1 submits that the captioned IA may be disposed of as infructuous.



11.Heard.

12.In view of the submission made by learned counsel for the defendant no.2, the captioned IA is dismissed as infructuous.

13.IA stands disposed of.

I.A.No.6738/2025 (under Section 151 CPC filed on behalf of defendant no.2 seeking deletion)

7. No reply to the captioned has been filed.

8. Let reply to the captioned IA be filed within three weeks with advance copy to the opposite side.

9. Learned counsel for the defendant no.2 submits that in the connected case i.e. CS(COMM) 2/2025, the defendant no.2 was deleted by the Hon'ble Court vide order dated 07.01.2025.

10.Learned counsels for the parties submit that since defendant no.2 was deleted in the connected case, the captioned IA may also be placed before the Hon'ble Court and they will make appropriate submissions before the Hon'ble Court.

I.A.No.6739/2025 (under Order XXXIX Rule 10 CPC filed on behalf of the plaintiff)

11.No reply to the captioned has been filed.

12.Let reply to the captioned IA be filed within three weeks with advance copy to the opposite side.

I.A.No.6742/2025 (under Order XVI CPC filed on behalf of defendant no.1 seeking appointment of a Local Commissioner)

13.No reply to the captioned has been filed.

14.Let reply to the captioned IA be filed within three weeks with advance copy to the opposite side.



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15. Delay in filing of written statement of the defendant no.1 is condoned today.
16. Learned counsel for the plaintiff submits that he will file replication and affidavit of admission/denial of documents within stipulated period.
17. Let the pleadings be completed as per law.
18. Learned counsels for the parties submit that the matter may be placed before the Hon'ble Court and they will make appropriate submissions before the Hon'ble Court.
19. At joint request, list the matter before the Hon'ble Court for further directions on **26th November, 2025.**

**MANISH SHARMA, (DHJS)
JOINT REGISTRAR (JUDICIAL)**

OCTOBER 17, 2025/nk