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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 100/2021**
RAAJ UNOCAL LUBRICANTS LIMITED

..... Plaintiff

Through: Ms.Deepika Pokharia, Ms.Surya
Rajappan, Advocates

versus

APPLE ENERGY PVT LTD & ANR.

..... Defendant

Through: Ms.Diva Arora Menon, Ms.Archita
Nigam, Advocates.

CORAM:
JOINT REGISTRAR (JUDICIAL) MS. SURYA MALIK
GROVER (DHJS)

ORDER
06.07.2022

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Hard copies of documents filed by defendant no. 2. Further, hard copies of application IA 6515/2021, reply to IA 8041/2021 and rejoinder to IA 6515/2021 filed by defendant no. 1 & 2. Hard copy of previously e-filed joint schedule of documents placed on record by plaintiff.

As per office noting, e-affidavit, admission / denial was filed vide diary no. 740240 dated 26.04.2022 and 812958 dated 05.05.2022. Same is not traceable on record. **Registry is directed to apprise status of the same.**

Counsel for defendant no. 1 & 2 submits that affidavit of admission / denial vide diary no. 740240/2022 filed by plaintiff is defective as document A which is their own document is neither admitted nor denied and hence it



cannot be taken on record.

In rebuttal, counsel for plaintiff submits that there is no infirmity in the affidavit and they will contest the aforesaid objection at the relevant stage.

IA 10174/2022 (under section 151 CPC seeking condonation of delay in filing hard copies of documents) and IA 10175/2022 (under section 151 CPC seeking additional index of documents to be taken on record) moved by plaintiff.

Notice. Accepted.

Ld. counsel for defendants submits that the plaintiff is delaying its own case as repeated adjournments are being sought to file hard copies of documents / filing incorrect Index of documents and hence applications should be dismissed.

Having perused the record, I am satisfied that plaintiff have been able to advance cogent and bonafide reasons. **Hence, both the applications stand allowed and original / hard copies of documents as well as additional index of documents filed by plaintiff stand taken on record.**

IAs stand disposed of in aforesaid terms.

List the matter before Hon'ble Court on date already fixed i.e. on **14.07.2022** for further directions.

**SURYA MALIK GROVER (DHJS),
JOINT REGISTRAR (JUDICIAL)**

JULY 6, 2022/sk