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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(COMM) 371/2023

M/S AHMED ZAI YASSER LTD

..... Plaintiff

Through: Ms. Upasana Pahuja, Adv.
(joined through VC)

versus

M/S RDB ENTERPRISES & ANR. Defendants

Through: Mr. Sumesh Goyal, Adv. (joined
through VC)

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

% **15.04.2024**

CS(COMM) 371/2023

As per office note, Written Statement alongwith affidavit of admission/denial filed by the defendants is still lying under objections.

It was stated by learned counsel for the defendants on the last date of hearing that he has also filed an application under Order VIII Rule 1 CPC seeking condonation of delay in filing Written Statement vide diary no.189936/24. The steps have not been taken by the defendants to bring it on record till date despite opportunity granted on the last date of hearing. It is stated by learned counsel for the defendants that he has also filed an application seeking condonation of delay in re-filing the said application under Order VIII Rule 1 CPC. However, the said application is also not on record. Some more time is sought by learned counsel for the defendants to bring the pleadings and applications on record. The same is opposed by learned counsel for the plaintiff, who submits that the defendants are intentionally not taking requisite steps only to delay the present matter filed by the plaintiff. In view of



submissions made and subject to imposition of cost of Rs.1500/- to be paid to the plaintiff, the last and final opportunity is granted to the defendant to take requisite steps within two weeks to bring on record Written Statement alongwith Affidavit of Admission/Denial of the documents, condonation of application under Order VIII Rule 1 CPC and an application seeking condonation of delay in re-filing an application under Order VIII Rule 1 CPC. At request, the plaintiff is at liberty to file reply to said both condonation of delay applications within three weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within two weeks thereafter with copy to the opposite side.

Re-notify the matter for further proceedings on 02.08.2024.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)

APRIL 15, 2024/ab

Click here to check corrigendum, if any