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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 449/2023**
GUJARAT COOPERATIVE MILK MARKETING FEDERATION
LIMITED & ANR.

..... Plaintiff

Through: Mr. Abhishek Singh, Mr. J. Amal
Anand, Mr. Elvin Joshy, Ms. Alisha
Sharma, Mr. Shashwat Tyagi, Advs.

versus

AMUL ANIMAL FEEDS & ORS.

..... Defendant

Through: Ms. Anumeha Singhai, Adv. For D-7

CORAM:
JOINT REGISTRAR (JUDICIAL) SH. AJAY GULATI

ORDER
07.03.2024

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IA no. 5437/2024 by def no. 5 for seeking condonation of delay of 73 days.

Ld. Counsel for the plaintiff accepts Notice and submits that arguments can be addressed straight down without filing a reply. Ld. Counsel for the defendant submits that def no. 5 is an intermediary and has taken down the objectionable listings as pointed out by the plaintiff, in terms of the directions passed by the Hon'ble Court.

If all that def no. 5 was required to do was to take down the listings, it need not have filed a written statement and instead, could have filed an Affidavit of compliance. If it choses to file a written statement despite there being no claim against it, as has been contended, there has to be reasonable



ground for filing the written statement after a delay. Mere status of being an intermediary is no ground for seeking condonation of delay. However, in the interest of justice, delay is condoned subject to a cost of Rs. 1000, to be deposited with High Court Bar Clerk's Asscn. IA stands disposed off.

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

MARCH 7, 2024