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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 460/2021

SUMAN SAWHNEY & ORS.

.....Plaintiffs

Through: Mr. Rajeev Verma & Mr. Akash
Verma, Advs.

versus

PANKAJ SAWHNEY

.....Defendant

Through: Mr. M. S. Khan & Mr. Arshyan,
Advs. for D-1
Mr. Naveen Kumar Chaudhary &
Mr. Harshit Chaudhary, Advs.
for D-2 to 4

CORAM:

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

ORDER

% 22.10.2024

**IA No.38852/2024 under Order VIII Rule 1 CPC
moved by defendant no.2 to 4 seeking condonation of
delay in filing Written Statement**

1. Learned counsel for the defendant no.1 already submitted that he has no objection to the captioned IA.
2. Learned counsel for the plaintiff submits that he has no objection to the captioned IA.
3. Heard. In view of reasons stated in the application, the captioned IA stands allowed to the extent that the delay, if any, in filing Written Statement filed by the defendant no.2&4 is condoned and the same is allowed to be taken on record. Accordingly, the captioned IA stands disposed of.

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4. It is jointly stated by learned respective counsels for the plaintiff and defendant no.1 that pleadings qua defendant no.1 are already complete.
5. Written Statement filed by defendant no.2 to 4 is allowed to be taken on record vide order of even date. The



defendant no.2 to 4 have also filed some documents as per record.

6. Affidavit of Admission/Denial of the documents has already been filed by defendant no.3.

7. As per office note, Affidavit of Admission/Denial of the documents filed by the defendnat no.2 is on record.

8. At this stage, it is stated by learned counsel for the defendant no.2 to 4 that the Affidavit of Admission/Denial of the documents already filed for defendant no.3 may also be read for defendant no.4. Ordered accordingly.

9. However, on perusal of the said Affidavits of Admission/Denial of the documents filed by the defendant no.2 & 3, it is found that the same are as per provisions of Rule 4 of Order XI of the code, as applicable to the Commercial Courts Act. So, learned counsel for the defendant no.2 to 4 is directed to file fresh/proper Affidavit of Admission/Denial of the documents as per law within two weeks with copy to the opposite side.

10. On receipt of fresh/proper Affidavit of Admission/Denial of the documents filed by defendant no.2 to 4, the plaintiff is directed to file Replication alongwith Affidavit of Admission/Denial of the documents within stipulated period as prescribed by law with copy to the opposite side.

11. Thereafter, the plaintiff is also directed to file soft copy as well as physical copy of the Joint Schedule of the documents at least two weeks before the next date of hearing with copy to the opposite side.

12. The parties are directed to file physical copy of the documents of which e-copy already filed on record, if not



filed earlier, before the next date of hearing.

Re-notify the matter for completion of pleadings/marketing of exhibits to the documents on 24.12.2024.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
OCTOBER 22, 2024/ab
Click here to check corrigendum, if any