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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(COMM) 396/2019**

KAPIL BUILDERS

..... Plaintiff

Through: Mr. Subhoday Banerjee,
Proxy Counsel for Mr. Jai
Sahai Endlaw, Advocate
appeared physically

versus

AERO PROMOTORS P(P) LTD. & ORS..... Defendants

Through: Mr. Harsh Sethi, Advocate
for Defendant nos. 1,4 and
5 appeared physically

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. TYAGITA
SINGH, (DHJS)**

ORDER

29.11.2022

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*Matter is taken up through physical hearing as well as
video conferencing.*

As per file noting, e-replication has been re-filed by the plaintiff to written statement of defendant nos. 1,4 and 5 as well as to written statement of defendant nos. 2 and 3 alongwith affidavit of admission/denial and it has been kept in PART-1A.

The concerned official of the Registry is directed to file report mentioning the details of the relevant dates when replication was filed, when objections were raised by the Registry to the replication and when objections were removed by the plaintiff.



File noting further reveals that e-documents have also been filed by the plaintiff which have been kept in PART-IIIA. E-Amended Memo of Parties filed by the plaintiff is lying under objections. Learned proxy counsel for the plaintiff has stated that there was no court order in respect of filing of Amended Memo of Parties due to which Registry has returned it with objections. Heard. Plaintiff may file appropriate application for necessary changes in the Memo of Parties.

Learned counsel for defendant nos. 1,4 and 5 has stated that he has filed revised affidavit of admission/denial, as there was certain typographical error in one entry in the affidavit of admission/denial filed with written statement.

Additional affidavit of admission/denial in respect of the additional documents filed by the plaintiff with replication, be filed by the defendants within three weeks.

Perusal of the file reveals that defendant nos. 2 and 3 are not appearing since resumption of physical hearing after COVID-19 Pandemic. In the interest of justice, court notice be issued to defendant nos. 2 and 3 as well as their counsels for appearance on the next date of hearing.

Plaintiff is directed to file Joint Documents Schedule within four weeks. Both the parties are directed to file original signed pleadings and hard copies of the documents on record atleast one week before the next date of hearing. Both the parties are directed to appear alongwith original documents for marking of exhibits on the documents on the next date of hearing. The concerned official is directed to complete the file in all respects before the next date of hearing.



Put up for completion of pleadings and admission/denial
and for marking of exhibits on 13th March, 2023.

TYAGITA SINGH, (DHJS)
JOINT REGISTRAR (JUDICIAL)

NOVEMBER 29, 2022
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