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

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

KAPIL BUILDERS

.....Plaintiff

Through: Ms. Shruti Kapur, Advocate

versus

AERO PROMOTORS P(P) LTD. & ORS.

.....Defendants

Through: Mr. Harsh Sethi advocate Mr. Anant
Nigam and Mr. Raghav Luthra, Advs.
for D-1, 4 & 5

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **28.04.2026**

1. *Vide* Order dated 13.04.2026, the learned Joint Registrar has recorded that after filing the Written Statement, the Defendants Nos. 2 & 3 are not appearing in the matter since 2021 and, therefore, the Plaintiff has filed the Joint Document Schedule without the signatures of Defendants Nos. 2 & 3. *Vide* the same Order, the learned Joint Registrar has sought a direction from this Court as to whether the present matter can be proceeded *ex-parte* to expedite the proceedings.

2. On 27.04.2026, there was no appearance on behalf of the Defendants Nos. 2 & 3 and the matter was directed to be listed today, i.e. 28.04.2026. Even today, there is no appearance on behalf of Defendants Nos. 2 & 3. It seems that Defendants No.2 & 3 are not interested in proceedings of the case.

3. Accordingly, Defendants Nos. 2 & 3 are set *ex-parte*.

4. List before the Joint Registrar on 23.07.2026 for further proceedings.

SUBRAMONIUM PRASAD, J

APRIL 28, 2026

Rahul