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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 561/2023

MRS KANIKA GAUTAM

..... Plaintiff

Through: Mr. Deepak Kr. Sharma, Mr.
Ashish Sharma, Advs.

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versus

M/S FLASH CLOUD CONSULTING & ORS.

..... Defendant

Through: Mr. Kunal Vashist, Adv. for
Proposal Defendant (Mobile
No.9911794319 & e-mail ID
advKunal2018@gmail.com).
Mr. Pankaj Bhagat & Mr.
Sadre Alam, Advs. for D-2
Mr. Chandrashekhar A
Chakalabbi, Mr. Varnik
Kundaliya & Ms.Aishwarya N
Hiremath, Advs. for D-3

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. MANISH
SHARMA, (DHJS)**

ORDER

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11.03.2024

Regular steno is on leave today. No other substituted steno
has been provided

**I.A.No.24479/2023 (under Order VII Rule 11 CPC filed
on behalf of defendant no.2 for rejection of plaint)**

1. It is submitted that the captioned IA is coming up
before the Hon'ble court on 27/03/2024.
2. No reply to the captioned IA has been filed.
3. Let the pleadings be completed as per law.

**I.A.No.19423/2023 (under Order 26 Rule 9 & 10 (b) &
10 (c) r/w Section 151 CPC filed on behalf of the**



defendant no.2)

4. It is submitted that the captioned IA is coming up before the Hon'ble court on 27/03/2024.
5. Reply to the captioned IA has been filed on behalf of the plaintiff.
6. Let the pleadings be completed as per law.

I.A.No.15451/2023 (under Section 12A of the Commercial Courts Act seeking exemption from pre-litigation process);

I.A.No.15453/2023 (under Order 11 Rule 14 r/w Section 151 CPC for production of documents by defendant no.2) &

I.A.No.15454/2023 (under Order 11 Rule 14 r/w Section 151 CPC for production of documents by defendant no.3 & 4)

7. It is submitted that the captioned IAs are coming up before the Hon'ble court on 21/03/2024.
8. Reply to IA No.15453/2023 has been filed on behalf of defendant no.2.
9. Let the pleadings be completed as per law.

I.A.No.22252/2023 (under Order I Rule 10 CPC filed on behalf of plaintiff to implead Indus Bank as necessary defendant in the present suit)

- 10.As per office note, defendant no.3 has been served through counsel by Whatsapp.
- 11.No reply to the captioned IA has been filed.
- 12.Let the pleadings be completed as per law.

I.A.No.729/2024 (under Order I Rule 10 r/w Section 151 CPC filed on behalf of defendant no.2)

- 13.As per office note, proposed defendant Mr. Rajeev Kumar has been served.



14.Let the pleadings be completed as per law.

I.A.No.1508/2024 (under Order VI Rule 17 r/w Section 151 CPC filed on behalf of the plaintiff seeking amendment in the list of dates and events filed along with plaint)

15.Learned counsel for plaintiff submits that the captioned IA may be taken up for consideration on the next date of hearing.

I.A.No.5533/2024 (filed by defendant no.2 for condonation of delay in filing reply to I.A.No.15453/2023)

16.Learned counsel for plaintiff accepts notice of the captioned IA and submits that he has no objection, if the captioned IA is allowed.

17.Arguments heard. Record perused.

18.In view of the averments made in the captioned IA and also in view of no objection furnished by learned counsel for plaintiff, the captioned IA is allowed. Delay in filing reply to IA No.15454/2023 is condoned and the same is taken on record.

19.IA stands disposed of.

I.A.No. 5564/2024 (under Section 151 CPC filed by defendant no.2 for condonation of delay in filing the written statement)

20.Learned counsel for plaintiff seeks time to file reply.

21.Let the pleadings be completed as per law.

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22.As per office note, written statement and affidavit of admission/denial of documents have been filed on behalf of the defendant no.2. However, an application seeking condonation of delay in filing written statement by defendant no.1 pending consideration.



23. Documents filed on behalf of the defendant no.2 have been returned under objection.
24. Let the pleadings be completed as per law.
25. Learned counsels for the parties submit that the matter may be placed before the Hon'ble Court on the date already fixed and they will make appropriate submissions before the Hon'ble Court.
26. At joint request, list the matter before the Hon'ble Court for further directions on the date already fixed i.e. **21st March, 2024.**

MANISH SHARMA, (DHJS)
JOINT REGISTRAR (JUDICIAL)
MARCH 11, 2024/nk
[Click here to check corrigendum, if any](#)