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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 596/2022**
KENT CABLES PRIVATE LIMITED & ORS.

..... Plaintiff

Through: Mr. Pratyush Rao, Advocate

versus

KENT RO SYSTEMS LIMITED & ORS. Defendant

Through: Mr. Raghuvinayak Sinha,
Advocate

CORAM:
JOINT REGISTRAR (JUDICIAL) SH. PURSHOTAM
PATHAK (DHJS)

ORDER
22.03.2023

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I.A. 5579/2023 filed by defendants under Order 8 Rule 1 read with section 151 CPC seeking condonation of delay of 82 days in filing written statement.

Heard.

Issue notice. Notice accepted by Ld. Counsel for the plaintiff.

Ld. Counsel for the plaintiff submits that he has no objection if the application is allowed.

Since the written statement has been filed within the outer limit of 120 days though beyond 30 days as prescribed under law, supported with cogent reason and not opposed, therefore in the interest of justice, the delay is condoned and the application is allowed. Written statement is taken on record.

IA stands disposed of.



I.A No. 16118/2022 filed by plaintiff under Order XI Rule 1(5)CPC amended by Commercial Courts Act, 2015 r/w section 151 CPC seeking leave to file additional documents.

Reply not filed.

Ld. Counsel for defendant submits that he will not be filing any reply to the present application and will argue straightaway.

In view order dated 22.11.2018 of the Hon'ble High Court of Delhi in **Max Hypermarket India Pvt. Ltd. vs. Curo India Pvt. Ltd. CS (COMM) 95/2016**, that the Registrar/Joint Registrar is not empowered to grant leave to a party to produce its own document beyond the stage prescribed under law, the present IA is liable to be placed before the Hon'ble Court.

Put up before Hon'ble Court on 14.04.2023 for further directions.

**PURSHOTAM PATHAK (DHJS),
JOINT REGISTRAR (JUDICIAL)**

MARCH 22, 2023/sk

[Click here to check corrigendum, if any](#)