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

+ **CS(COMM) 414/2019**

BACO METALLIC INDUSTRIES

..... Plaintiff

Through: Mr. Udit Gupta, Adv (9654449369)
(lawyer.udit@gmail.com)

versus

PM TRADE SRL AND ANR.

..... Defendants

Through: Mr. Rohit Nagpal, Adv for D2
(981161211) (rohitnagpal2211
@gmail.com)

CORAM:

MS. VANDANA JAIN (DHJS) JOINT REGISTRAR(JUDICIAL)

ORDER

% **09.01.2023**

Joint Document Schedule physically filed.

Hard copy of documents already filed by both the parties.

Learned counsel for plaintiff submits that admission/denial was conducted on 07.02.2020, however, after filing IA No. 11334/2021, a fresh affidavit of admission/denial by D2 was filed and thereafter a fresh Joint Document Schedule has been filed.

Learned counsel for plaintiff further submits that there has been certain discrepancies in the earlier admission/denial which was conducted on 07.02.2020 by his colleague. Learned counsel has pointed out that email dated 03.10.2016 on page No. 22 of defendants' documents was wrongly endorsed as admitted by his



colleague and was marked as Ex D-6, though it is not admitted in the affidavit of admission/denial filed by plaintiff and therefore, same be de-exhibited. He further submits that email at page No. 47 was though admitted by learned counsel for plaintiff however no exhibit has been put on the said document. Learned counsel has further pointed out that email dated 21.12.2016 at Sl No. 18 was not endorsed though it has been admitted in the affidavit of admission/denial.

Learned counsel for D2 has no objection with respect to rectifying the exhibits on the documents today. Hence, email dated 03.10.2016 at page No. 22 shall not be read as Ex D-6. The e-mail dated 07.12.2016 at page No. 47 shall be read as Ex D-6.

Learned counsel for plaintiff has made endorsement on the email dated 21.12.2016 today which is marked as Ex D-16.

With respect to the plaintiff's documents, learned counsel for plaintiff has pointed out that some of the emails which were exhibited were running into many pages. He submits that in order to avoid confusion, page numbers be put alongside the Ex P-8, Ex P-9, Ex P-10, Ex P-13, Ex P-15 & Ex P-17 today.

Learned counsel for D2 does not object to the same. Hence, allowed.

Learned counsel for defendant No.2 has admitted forwarding receipt of email dated 20.07.2016 whereas he is denying the contents. Same is exhibited as Ex P-23. Hence, process of admission/denial stands concluded.

Endorsement also put on the Joint Document Schedule.



Matter is ripe for framing of issues.

As requested, let the matter be placed before Hon'ble Court on 06.03.2023 for further directions.

VANDANA JAIN (DHJS)
JOINT REGISTRAR(JUDICIAL)

JANUARY 9, 2023
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