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

+ **CS(COMM) 458/2019**

VOLTAS LIMITED

.....Plaintiff

Through: Mr. Nabik Syam, Ms. Anindita
Burman with Mr. Siddhant Bajaj,
Advs. (through VC)

versus

**SHAPOORJI PALLONJI AND COMPANY PRIVATE
LIMITED & ORS.**

.....Defendant

Through: Ms. Sudiksha Saini, Ms. Bhumika
Bhatnagar, Advs. for D-1 (through
VC).

None for D-2.

Ms. Aakriti Garg, Adv. for D-3
(through VC).

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. DEVENDER
KUMAR GARG (DHJS)**

ORDER

22.01.2025

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Proceedings are being conducted through hybrid mode.

**I.A. No. 1750/2025 (by plaintiff for condonation of delay
in filing separate rejoinders to replies of D-1 and D-2)**

1. Ld. Counsel for defendant no.1 accepts notice of the captioned IA and submits that she does not wish to file any reply to the same and has no objection if the same is allowed.
2. Issue notice of captioned IA to defendant no.2 through counsel by email/WhatsApp for next date of hearing, who may file reply to the same within four weeks from the date of service and rejoinder thereto be filed within two weeks thereafter.



I.A. No. 7071/2024 (moved by D-3 u/S 8 of Arbitration & Conciliation Act)

3. It was already submitted on behalf of defendant no.1 that she did not wish to file any reply to the captioned IA and has no objection if the same is allowed.
4. Reply to the captioned IA was already filed on behalf of the plaintiff. No rejoinder to the said reply has been filed by defendant no.3.
5. Ld. Proxy Counsel appearing for Mr. Parvinder Chauhan, previous counsel for defendant no.3 has submitted that Mr. Parvinder Chauhan has been designated as Sr. Adv. by Hon'ble High Court of Delhi and she has further submitted that defendant no.3 is not contacting them and she will take appropriate steps as per law.
6. In the meantime, issue court notice to defendant no.3 in person, without PF, for next date of hearing.

I.A. No. 11598/2019 (by plaintiff for stay)

7. Perusal of record shows that separate replies to captioned IA has been filed by defendants no.1 and 2.
8. As per office noting, separate rejoinders to the above said replies have been filed on behalf of plaintiff. However, an application for condonation of delay in filing the said rejoinders is pending for consideration.
9. No reply to the captioned IA has been filed on behalf of defendant no.3 despite last opportunity.

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10. Pleadings qua defendants no.1 & 2 are already complete.
11. Perusal of record further indicates that written statement and affidavit of admission/denial were already filed on behalf of defendant no.3.



- 12.No replication and affidavit of admission/denial has been filed on behalf of the plaintiff qua defendant no.3. Let appropriate steps be taken as per law.
- 13.It is submitted that application u/S 8 of Arbitration & Conciliation Act on behalf of the defendant no.3 is also pending for consideration.
- 14.Let the pleadings be completed as per law.
- 15.Re-notify the present matter for completion of pleadings and further proceedings on **21st March, 2025.**

**DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)**

JANUARY 22, 2025/v

Click here to check corrigendum, if any