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

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

**VOLTAS LIMITED**

.....Plaintiff

Through: Mr. Anindita Burman, Mr.  
Siddhant Bajaj, Advs.(through VC)

versus

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

.....Defendant

Through: Ms. Sudiksha Saini, Adv. for D-1.  
None for D-2.

**CORAM:**

**JOINT REGISTRAR (JUDICIAL) SH. GAGANDEEP  
JINDAL (DHJS)**

**ORDER**

**23.07.2025**

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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 already submitted that he did not wish to file any reply to the captioned IA and has no objection if the same is allowed.
2. As per office noting, the defendant no. 2 has failed to file reply to the captioned IA despite opportunities. Therefore, right to file reply on behalf of defendant no.2 is closed.
3. Heard. I have gone through the record.
4. It is settled law that technicalities of law should not come in the way of justice and endeavour of court should be to decide the lis on merits. Hence, considering the submissions made in the application, the delay in filing



rejoinder on behalf of the plaintiff to the replies of defendant nos. 1 & 2, is condoned.

5. The captioned IA stands disposed off accordingly.
6. Rejoinder to the replies of defendant nos.1 & 2 of the captioned IA is taken on record.

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

7. 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.
8. Reply to the captioned IA was already filed on behalf of the plaintiff.
9. Neither rejoinder nor vakalatnama has been filed on behalf of the defendant no.3.
10. Defendant no.3 has failed to file rejoinder to reply of plaintiff despite opportunity. Therefore right to file rejoinder is closed.
11. Pleadings are complete.

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

12. Perusal of record shows that separate replies to captioned IA has been filed by defendants no.1 and 2.
13. Separate rejoinders to the above said replies have already filed on behalf of plaintiff which has been taken on record today.
14. No reply to the captioned IA has been filed on behalf of defendant no.3 despite many opportunities. Therefore right to file reply on behalf of defendant no. 3 is closed.
15. Pleadings are complete.

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16. Pleadings in respect of defendants no.1 & 2 are already



complete.

17. Perusal of record further indicates that written statement and affidavit of admission/denial were already filed on behalf of defendant no.3.
18. 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.
19. It is submitted that application u/S 8 of Arbitration & Conciliation Act on behalf of the defendant no.3 is also pending for consideration.
20. Let the pleadings be completed as per law.
21. At request, re-notify the present matter before Hon'ble Court for further directions on **28<sup>th</sup> August, 2025.**

**GAGANDEEP JINDAL (DHJS)**  
**JOINT REGISTRAR (JUDICIAL)**

**JULY 23, 2025/PU**

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