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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(COMM) 468/2019

M/S FORTIS HOSPITALS LIMITED Plaintiff

Through: Mr. Saurabh Batra, Adv.

versus

M/S BEST HEALTHCARE PRIVATE LIMITED & ORS.

..... Defendants

Through: Ms. Devina Sehgal, Adv.
for D-1 to 3 (through VC)
Mr. Siddharth Sharma,
Adv. for D-9 (through VC)
Mr. Aditya Dewan and
Mr. Sahil Chandra, Adv.
for D-5 & 8 (through VC)

CORAM:

JOINT REGISTRAR (JUDICIAL) SH. DEVENDER
NAIN (DHJS)

ORDER

11.05.2023

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IA No. 9108/2023 by plaintiff under Chapter VII Rule 5 of the Delhi High Court (Original Side) Rules, 2018 r/w section 151 CPC seeking condonation of delay in filing of replication by plaintiff

Heard. Notice of above mentioned application has been accepted by counsel for defendant no.9. Reply to above mentioned application be filed within four weeks.

Rejoinder, if any, be filed within two weeks thereafter.

List for completion of pleadings on the next date of hearing.

IA No. 11768/2019 u/O XXXIX R.1 & 2 CPC seeking ad interim ex parte injunction against alienation of assets by the defendants

Reply to above mentioned application be filed within four



weeks. Rejoinder, if any, be filed within two weeks thereafter.

List for completion of pleadings on the next date of hearing.

IA No. 426/2022 u/s 8 Arbitration and Conciliation Act seeking to refer the present suit to arbitration proceedings already commenced by the plaintiff vide its letter dated 08.06.2018

Reply to above mentioned application has already been filed. Rejoinder, if any, be filed within two weeks.

List for completion of pleadings on the next date of hearing.

IA No. 3463/2020 application u/O VIII R.1 CPC seeking condonation of delay in filing its written statement

Reply to above mentioned application has already been filed. Counsel for defendant nos. 6 and 7 waived right to file rejoinder and sought to argue the application without filing rejoinder.

List for argument on the next date of hearing.

IA No. 357/2021 u/s 151 CPC seeking dismissal of suit qua the defendant being infructuous

Pleadings are complete.

List on the next date of hearing.

IA No. 427/2022 application under section 8 Arbitration Act seeking to refer the present suit to arbitration proceedings already commenced by the plaintiff vide its letter dated 08.06.2018 and IA No. 3471/2022 by applicant/defendant no.1 u/O VIII Rule 1 r/w section 151 CPC seeking condonation of delay in filing the written statement by defendant no.1 and IA No. 3765/2021 application filed by defendant no.1 seeking dismissal of suit, IA No. 426/2022 by applicant/defendant no.2 u/O VIII Arbitration and Conciliation Act, IA No. 3472/2022 by applicant/defendant no.2 u/O VIII Rule 1 r/w section 151 CPC seeking condonation of delay in filing the written statement by defendant no.2-Fern Healthcare



Private Limited, IA No. 4077/2021 by defendant no.2 seeking dismissal of suit, IA No. 428/2022 application u/s 8 Arbitration Act seeking to refer the present suit to arbitration proceedings already commenced by the plaintiff vide its letter dated 08.06.2018, IA No. 3469/2022 by applicant/defendant no.3 u/O VIII Rule 1 r/w section 151 CPC seeking condonation of delay in filing the written statement by defendant no.3 Modi and Wears Pvt Ltd and IA No. 3764/2021 by applicant/defendant no.3 u/s 151 CPC seeking dismissal of suit

It is submitted by counsel appearing on behalf of defendant nos.1 to 3 that she could not file rejoinder to above mentioned applications till date as authorized signatory was not available and further undertakes that she will file the same during proceedings of the day. Let same be filed. If same is not filed today itself, right of defendant nos.1 to 3 to file rejoinder to all the above mentioned applications shall be considered as closed.

List for completion of pleadings on all the above mentioned applications on 06.09.2023.

After perusal of order sheet, let present matter be placed before Hon'ble Court for further direction on date already fixed i.e. 18.05.2023.

**DEVENDER NAIN (DHJS),
JOINT REGISTRAR (JUDICIAL)**

MAY 11, 2023/cd

Click here to check corrigendum, if any