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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(COMM) 468/2019

M/S FORTIS HOSPITALS LIMITEDPlaintiff

Through: Ms. Vatsala Rai, Adv.
(through VC)

versus

M/S BEST HEALTHCARE PRIVATE LIMITED & ORS.

.....Defendants

Through: Mr. Vishvendra Tomar and Mr.
Nikunj Mahajan, Advs. for D-6 & 7
(M: 9899465451) (Email ID:
nikunjmahajan9@gmail.com)
Ms. Priyakshi Bhatnagar and Mr.
Daanish Abbasi, Advs. for D-9
(through VC)

None for remaining defendants.

Right of D-5 & 8 to file WS was
already closed vide order dated
13.11.2024.

CORAM:

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

ORDER

05.05.2026

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Proceedings are being conducted through hybrid mode.

**I.A.No.3463/2020 (by D-6 & 7 u/S 151 CPC for
condonation of delay in filing written statement to the
suit for recovery)**

1. The captioned IA has been restored by the Hon'ble Court vide order dated 18.03.2026.
2. Heard.
3. Ld. Counsel for plaintiff has insisted only for cost.
4. Ld. Counsel for defendant nos. 6 & 7 submits that defendant no. 7 was in custody from 11.10.2019 till 08.06.2023. Therefore, there is delay in filing written statement on behalf of defendant nos. 6 & 7.
5. Heard. It is settled law that technicalities of law should not come in the way of justice and endeavour of court



should be to decide on merits. The written statement on behalf of defendant nos. 6 & 7 has been filed within outer limit of 120 days. Hence, considering the submissions made in the application, the delay in filing written statement and affidavit of admission/denial of documents on behalf of the defendant nos. 6 & 7 is condoned subject to cost of Rs.5,000/- to be paid in Army Welfare Fund, Battle Casualties, within two weeks.

6. The captioned IA stands disposed off accordingly.

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7. Today the delay in filing written statement on behalf of defendant nos. 6 & 7 is condoned.
8. Plaintiff is directed to file replication and affidavit for admission/denial of documents qua defendant nos. 6 & 7, if any, within 30 days.
9. It is submitted that pleadings qua all other defendants are already complete.
10. It is submitted that the application u/S 8 of Arbitration and Conciliation Act filed by defendant nos. 1 to 3 are pending for consideration before the Hon'ble Court.
11. Let Joint Document Schedule including hard copy of the same be filed at least two weeks before the next date.
12. Both the parties shall file hard copies of their documents at least two weeks before the next date.
13. Re-notify the matter for admission/denial of documents on **18th August, 2026**.

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

MAY 05, 2026/PU

Click here to check corrigendum, if any