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

+ **CS(OS) 558/2023**

M/S CORPORATE FLYERS PRIVATE LIMITEDPlaintiff

Through: **Mr.Rahul Tyagi and Mr. Rohit Gupta,**
Advs.

versus

SHRI RAHUL GUPTA & ORS.Defendants

Through: **Mr. Yash Prakash and Mr. Ishan Jain,**
Advs. for D-1

Mr. Dilawar Singh, Adv. for D-2

Mr. Mukul Kumar Sanwariya, Adv.
for D-3

Mr. Alankar Tiwari, Adv. for D-4

Mr. Saurabh Sharma, Adv. for D-5

CORAM:

DR. JAGMINDER SINGH (DHJS) JOINT REGISTRAR (JUDICIAL)

ORDER

% 25.03.2026

I.A. 29211/2025 (filed by D-4 under Order VIII Rule 1 CPC seeking condonation of 37 days delay in filing written statement)

1. Learned counsel for plaintiff raised no objection to this application. Hence, in view of the same, the delay in filing written statement is condoned.

2. I.A. stands allowed and **disposed of**.

3. Let the written statement be taken on record as per law.

I.A. 5870/2026 (filed by plaintiff seeking condonation of 6 days delay in filing reply to IA 29211/2025)

4. In view of order in I.A.29211/2025, the captioned stands **disposed of** being satisfied.



I.A. 20047/2025 (filed by D-3 seeking condonation of 30 days delay in filing written statement)

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I.A. 20048/2025 (filed by D-3 seeking condonation of 175 days delay in re-filing written statement)

5. Reply filed by plaintiff is lying under objection. Copy received by learned counsel for defendant no. 3. Let steps be taken on behalf of plaintiff to get the reply placed on record and to file rejoinder, if any, thereafter within two weeks.

6. Put up for arguments on next date of hearing.

I.A. 46057/2024 (filed by D-5 seeking condonation of 71 days delay in filing written statement)

7. Learned counsel for plaintiff submitted that he is having no objection if the application is allowed, subject to appropriate cost.

8. In view of the same, the delay in filing written statement stands condoned, subject to cost of Rs.5000/- to be given to opposite party,

9. Captioned I.A. stands allowed and **disposed of**.

10. Written statement be taken on record in accordance with law.

I.A. 2233/2025 (filed by plaintiff under Order V Rule 20 CPC for substituted service of D-4)

11. As defendant no. 4 already served, the captioned I.A. stands **disposed of** being infructuous.

I.A. 11342/2025 (filed by defendant no. 1 under Order VIII Rule 1 CPC seeking condonation of 6 days delay in filing written statement)

12. Arguments heard.



13. Learned counsel for applicant submitted that the applicant has received the complete set of legible documents on 18.02.2025 and thereafter filed the written statement on 26.03.2025 with affidavit of admission/denial with a delay of 6 days and same may be condoned.

14. On the other hand, learned counsel for plaintiff opposed the request and submitted that the applicant was served on 05.08.2024 and the delay in filing written statement is almost 203 days. The application is without any merit and is liable to be dismissed.

15. I have considered the submissions of both parties and perused the record.

16. During arguments learned counsel for plaintiff has shown a receipt allegedly signed by learned counsel for defendant no. 1 dated 05.08.2024 and accordingly they had received the documents on 05.08.2024. However, learned counsel for applicant denied the said receipt and same is also not on record.

17. Perusal of ordersheet dated 18.02.2025 reveals that on that date learned counsel for defendant no. 1 specifically stated about the illegible copy with particulars of page no. 1005 to 1009 and on that date itself it was submitted on behalf of the plaintiff that the counsel for applicant may collect said legible copy from his office. It is admitted by learned counsel for applicant that he had collected the said legible copy on that day itself i.e. 18.02.2025. Moreover, as admittedly the pages of documents are running into thousands and a person cannot at once go through all the documents. Therefore, in view of the submissions of learned counsel for plaintiff, corroborated by the ordersheet dated 18.02.2025, it appears that the time to file written statement actually started from 18.02.2025 and the written



statement was filed on 26.03.2025 i.e. beyond about 6 days from the statutory period of 30 days.

18. Hence, in view of the facts and circumstances, delay of 6 days in filing written statement stands condoned, subject to cost of Rs. 2000/- to be deposited with DHCLSC.

19. The captioned I.A. stands **disposed of**.

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20. Put up for completion of pleadings in accordance with law and for arguments on pending I.As on 15.07.2025.

**DR. JAGMINDER SINGH (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MARCH 25, 2026/tp