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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS (COMM) 664/2022 & I.A. 15660/2022, I.A. 18273/2022, I.A. 3362/2023, I.A. 3363/2023

U.S. GREEN BUILDING COUNCIL Plaintiff
Through: Ms. Anuradha Salhotra, Mr. Sumit
Wadhwa and Mr. Ayush Samaddar, Advs.

versus

DEMING CERTIFICATION SERVICES PVT LTD Defendant
Through: Mr. Piyush Kumar, Adv.

CORAM:
HON'BLE MR. JUSTICE C.HARI SHANKAR

% **ORDER**
21.02.2023

I.A. 3362/2023 (seeking condonation of delay in filing application)

1. This application seeks condonation of delay of 8 days in filing I.A. 3363/2023. The delay is condoned.

2. The application is allowed.

I.A. 15660/2022 (under Order XXXIX Rules 1 and 2 of the CPC) and
I.A. 3363/2023 (under Order XXXIX Rule 4 of the CPC)

3. Mr. Piyush Kumar, learned Counsel for the defendant submits that the defendant has filed a reply to I.A. 15660/2022, which was preferred by the plaintiff under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908 (CPC).

4. Ms. Salhotra submits that she has not received the copy of any
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such reply. No such reply is forthcoming on record either.

5. In any event, I.A. 3363/2023 would, by its very nature, operate as a response to I.A. 15660/2022.

6. Issue notice in I.A. 3363/2023. Notice is accepted on behalf of the plaintiff/non-applicant by Ms. Salhotra.

7. Reply, if any, be filed within four weeks with advance copy to learned Counsel for the defendant who may file rejoinder thereto within four weeks thereof.

8. Re-notify on 25th April 2023.

I.A. 18273/2022 (under Order XXXIX Rule 2A of the CPC)

9. This is an application by the plaintiff under Order XXXIX Rule 2A of the CPC.

10. The Registry reports that the reply filed by the defendant to this application is under objections.

11. Mr. Piyush Kumar undertakes to remove the objections and re-file the reply. He is permitted to do so within three days from today. He is also directed to forward a copy of the reply with all objections removed to the learned Counsel for the plaintiff who may file rejoinder thereto, if any, within four weeks thereof.

12. List for hearing and disposal of I.A. 15660/2022, I.A. 18273/2022
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and I.A. 3363/2023 on 25th April 2023



13. Interim orders, if any, to continue till the next date of hearing.

FEBRUARY 21, 2023/ar

C.HARI SHANKAR, J