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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 570/2024**
S S D ENTERPRISESPlaintiff
Through: Mr.Pravir Chowdhury,
Mr.Reepak Kansal, Advs

versus

JANHAVI CONSTRUCTION AND ANRDefendants
Through: Nemo

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

% **ORDER**
15.07.2024

I.A. 33239/2024 (Exemption)

1. Allowed, subject to all just exceptions.

I.A. 33240/2024

2. For the reasons stated in the application, the delay of 95 days in re-filing is condoned. This however, will not prejudice the defence on the question of limitation, if it arises.

3. The application stands disposed of.

CS(COMM) 570/2024 & I.A. 33238/2024

4. Let the Complaint be registered as a Suit.

5. Issue summons in the Suit, and notice of the application to the defendants, to be served through all permissible modes, including through electronic mode and *dasti* as well, returnable on 27th September, 2024 before the learned Joint Registrar (Judicial)

6. The summons to the defendants shall indicate that the Written Statement(s) to the Complaint shall be positively filed within a period of



30 days from the date of receipt of summons. Along with the Written Statement(s), the defendants shall also file the affidavit(s) of admission/denial of the documents of the plaintiff, without which the Written Statement(s) shall not be taken on record.

7. Liberty is given to the plaintiff to file the Replication within a period of 15 days of the receipt of the Written Statement(s). Along with the Replication, if any, filed by the plaintiff, the affidavit(s) of admission/denial of documents of the defendant(s) be filed by the plaintiff, without which the Replication(s) shall not be taken on record.

8. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

9. Let reply(ies) to the application be filed by the defendants within a period of four weeks of receipt of the notice. Rejoinder thereto, if any, be filed within a period of three weeks thereafter.

NAVIN CHAWLA, J

JULY 15, 2024/Arya/SJ

Click here to check corrigendum, if any