



\$~11

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 713/2021 & I.A. 17557/2021**
ARMACELL INDIA PRIVATE LIMITED Plaintiff
Through: Mr. Anand Dilip Landge, Advocate.

versus

KUNAL SAXENA Defendant
Through: None.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **24.12.2021**

[VIA HYBRID MODE]

I.A. 17558/2021 (Application under Section 151 Code of Civil Procedure, 1908 for exemption from filing original or certified and clearer copies of the documents)

1. Exemption is granted, subject to all just exceptions.
2. The Petitioner shall file better copies of exempted documents, compliant with practice rules, before the next date of hearing.
3. Accordingly, the application stands disposed of.

I.A. 17559/2021 (Application under Section 151 Code of Civil Procedure, 1908 seeking condonation of delay in re-filing the plaint)

4. For the grounds and reasons stated therein in the application, the same is allowed and the delay in re-filing the plaint is condoned.
5. Accordingly, the application stands disposed of.

I.A. 17557/2021 (Application under Order XXXIX Rules 1 & 2 r/w Section 151 of the Code of Civil Procedure, 1908)

6. Issue notice to the Defendant, by all permissible modes, upon filing of



process fee.

7. List before Joint Registrar on 10th March, 2022.

8. List before the Court on 12th May, 2022.

CS(OS) 713/2021

9. Let the plaint be registered as a suit.

10. Upon filing of process fee, issue summons to the Defendant by all permissible modes. Summons shall state that the written statement shall be filed by the Defendant within 30 days from the date of receipt of summons. Along with the written statement, the Defendant shall also file an affidavit of admission/ denial of the documents of the Plaintiff, without which the written statement shall not be taken on record.

11. Liberty is given to the Plaintiff to file a replication within 15 days of the receipt of written statement. Along with the replication, if any, filed by the Plaintiff, an affidavit of admission/ denial of documents of the Defendant be filed by the Plaintiff, without which the replication shall not be taken on record. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within these timelines.

12. List before the Joint Registrar for marking of exhibits on 10th March, 2022. It is made clear that any party unjustifiably denying documents would be liable to be burdened with costs.

13. List before Court on 12th May, 2022 for framing of issues thereafter.

SANJEEV NARULA, J

DECEMBER 24, 2021

d.negi