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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 713/2021

ARMACELL INDIA PRIVATE LIMITED Plaintiff

Through: Mr. Anand Dilip Landge & Mr.
Avineesh Jha, Advs.

versus

KUNAL SAXENA Defendant

Through: Ms. Shreya, proxy cl.

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

% **21.03.2023**

**CS(OS) 713/2021 and I.A. 17557/2021 (Application
under Order XXXIX Rules 1 & 2 r/w Section 151 of the
Code of Civil Procedure, 1908)**

Written Statement alongwith Affidavit of
Admission/Denial of documents, documents and Reply to
the interim application filed by defendant are already on
record.

It is stated by learned counsel for the plaintiff that he
has removed all the defects and filed proper Replication,
Affidavit of Admission/Denial of the documents,
Rejoinder to interim application and Joint Schedule of the
documents on 15th & 17th October, 2022. He also submits
that despite removing objections, due to
miscommunication between the Registry and Portfolio
Branch, the incorrect Replication, Affidavit of
Admission/Denial of the documents, Rejoinder to interim
application and Joint Schedule of the documents has been
placed on record before this court and, therefore, cost i.e.
Rs.3000/- & Rs.3000/- was imposed upon him vide orders
dated 24.11.2022 & 16.01.2023. He submits that the same
may be waived off as he took steps expeditiously for
removing defects and the delay occurred on account of



miscommunication between the Registry and Portfolio Branch. In view of submissions made, report be called from the Registry and the Portfolio Branch in this regard on the next date of hearing.

As per office note, Replication, Affidavit of Admission/Denial of the documents, Rejoinder to interim application filed by the plaintiff, have been placed by the Registry. The same are taken on record. The correct copy of Joint Schedule of the documents is still not on record. So, the Registry and Portfolio Branch are directed to place the same before the next date of hearing.

Both the parties have not filed hard copy of their documents for which e-copy has already been filed. At request, the same be filed within a week.

Re-notify the matter for completion of pleadings as well as for marking of exhibits to the documents on 18.05.2023.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
MARCH 21, 2023/ab
Click here to check corrigendum, if any