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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: **Mr. Kulwinder Singh & Ms.
Pooja Tiwari, Advs.**

CORAM:

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

ORDER

% 09.02.2024

CS(OS) 713/2021

Pleadings in the suit are already complete.

As per record, physical copy of the Joint Schedule of the documents and physical copy of the documents filed by the plaintiff and physical copy of documents filed by the defendant, are already on record.

On perusal of Affidavit of Admission/Denial of the documents filed by the defendant, it is found that the documents i.e. website extract of the plaintiff is denied on the ground that the same is not legible. This is not a valid ground for denial of the same. However, on perusal of the record, it is found that vide order dated 24.12.2021, an application filed by the plaintiff seeking exemption from filing original, certified and clearer copies of the documents was allowed subject to filing of better copies of exempted documents, compliant with practice rules, before the next date of hearing. The plaintiff has not complied the said order and till date, the clear copies have not been filed by the plaintiff. Learned counsel for the defendant submits that the plaintiff may be directed to file original/clear/



typed copies of the documents and also supply the same to learned counsel for the defendant and thereafter, he will file fresh Affidavit of Admission/Denial of the documents.

Accordingly, the plaintiff is directed to file original/clear/ typed copies of the documents for which copies on record are not legible, within two weeks with copy to the opposite side. Thereafter, the defendant no.2 shall file fresh Affidavit of Admission/Denial of the documents in the prescribed format within two weeks with copy to the opposite side.

Thereafter, the plaintiff is directed to file soft copy as well as physical copy of fresh Joint Schedule of the documents compatible with fresh Affidavit of Admission/Denial of the documents filed by the defendant at least two weeks before the next date of hearing with copy to the opposite side.

Re-notify the matter for marking of exhibits to the documents on 08.05.2024.

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

Pleadings qua captioned IA are already complete.

At request, re-notify captioned IA on 08.05.2024.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
FEBRUARY 9, 2024/ab

Click here to check corrigendum, if any