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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(COMM) 717/2021**

MARICO LIMITED

..... Plaintiff

Through: Mr.Sumit Wadhwa and Ms.Sharika
Vijh, Advs. (through VC) (Mob No.
9625975858)

versus

NARICO AGROVET PRIVATE LIMITED & ANR..... Defendants

Through: Mr.Abhishek Yadav, Adv. for D1.
Mr.Rohan Ahuja and Mr.Vatsalya
Vishal, Advs. for D2.

CORAM:

JOINT REGISTRAR (JUDICIAL) MS. SURYA MALIK GROVER (DHJS)

ORDER

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31.05.2022

IA no. 8302/2022 (under Section 151 CPC seeking condonation of delay in filing written statement moved by defendant no.1)

Notice. Accepted.

Learned counsel for plaintiff has vehemently opposed the application submitting that defendant no.1 was served way back on 10.01.2022 and had appeared at the first instance on 29.03.2022, however, written statement has been filed on 09.05.2022, hence, there is a huge delay in filing of written statement. Further, in case the application is allowed, in view of the orders passed by the Hon'ble Apex Court in ***Suo Moto Writ Petition (civil) 3/2020***, the defendant should be burdened with appropriate costs.

Record perused. Submissions heard.

In view of the reasons mentioned in the application considered in the light of orders passed by the Hon'ble Apex Court in ***Suo Moto Writ Petition***



(Civil) 3/2020, I am inclined to take the written statement of defendant no.1 on record, however, keeping in view that there has been a delay of 39 days over and above prescribed period of 30 days starting from 01.03.2022, I am inclined to impose cost of Rs. 10,000 upon the defendant no.1 to be paid to the plaintiff on account of delay caused in the proceedings.

IA stands disposed of in aforesaid terms.

Accordingly, written statement filed by defendant no.1 stands taken on record, subject to payment of costs.

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Replication be filed within stipulated time as per law.

List the matter for completion of pleadings on **25.07.2022**.

**SURYA MALIK GROVER (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MAY 31, 2022/neelam