



\$~3

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 5/2022**

PERNOD RICARD INDIA PVT.LTD. Plaintiff

Through: **Ms. Ruchika Agarwala
and Ms. Malvikka Arya,
Advs.**

versus

RAJ KUMAR & ANR. Defendants

Through: **Ms. Twinkle Gupta and
Mr. Sajal Gupta, Advs. for
D-2**

**CORAM:
JOINT REGISTRAR (JUDICIAL) MS. SHUCHI
LALER (DHJS)**

%

**ORDER
08.05.2024**

**Case file received from the court of Ms. Tyagita Singh,
learned Joint Registrar (Judicial) by way of transfer in
terms of office order dated 19.03.2024.**

1. The right of defendant no.1 and defendant no.2 to file written statements were closed on 14.10.2022 and 03.08.2023 respectively.
2. Learned counsel for defendant no.2 submits that though the right of defendant no.2 to file written statement was closed, affidavit of admission/denial qua the documents of plaintiff can be filed by defendant no.2.
3. Learned counsel for plaintiff, per contra, submits that the affidavit of admission/denial filed by defendant no.2 does not bear his signatures and even otherwise, in the



absence of written statement, the affidavit of admission/denial cannot be taken on record. Moreover, the stipulated time period for filing of affidavit of admission/denial has already lapsed.

4. Learned counsels for parties seek time to file judgment in support of their respective contentions.

5. Affidavit of admission/denial of documents be filed by defendant no.2 within two weeks without prejudice to the rights and contentions of the parties.

6. Document schedule along with its hard copy be filed at least two weeks prior to the next date.

7. Re-notify the matter for arguments on the aspect whether the affidavit of admission/denial of defendant no.2 can be taken on record at this stage/if it is taken on record for admission/denial of documents and for marking of exhibits on 24.07.2024.

**SHUCHI LALER (DHJS),
JOINT REGISTRAR (JUDICIAL)**

MAY 8, 2024/cd

[Click here to check corrigendum, if any](#)