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

+ **CS(COMM) 583/2019**

SPJ CARGO PVT. LTD.

..... Plaintiff

Through: Ms. Shantha Devi Raman,
Advocate with Ms. Aishna Jain,
Advocate.

versus

SARAH FOODS

..... Defendant

Through: None.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **04.12.2019**

I.A. 14543/2019 (exemption)

The application for exemption is allowed, subject to the plaintiff granting inspection of the documents filed, as and when required to do so, or filing the original documents at the stage of admission/denial.

CS(COMM) 583/2019

1. After some hearing, learned counsel for the plaintiff submits that the suit be treated as an ordinary suit under Order XXXVII of the Code of Civil Procedure, 1908. She seeks to file an amended plaint with consequential amendments within one week.
2. Upon filing of the amended plaint, the same be registered as a suit. Summons be issued to the defendant by all permissible modes on filing of process fee.
3. The summons shall indicate that the written statement must be filed within thirty days from the date of receipt of the summons. The defendant shall also file an affidavit of admission/denial of the documents



filed by the plaintiff, failing which the written statement shall not be taken on record.

4. The plaintiff is at liberty to file a replication thereto within fifteen days after filing of the written statement. The replication shall be accompanied by an affidavit of admission/denial in respect of the documents filed by the defendant, failing which the replication shall not be taken on record.

5. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.

6. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.

7. List before the Joint Registrar for marking of exhibits on 28.01.2020.

8. List before the Court on 27.04.2020.

PRATEEK JALAN, J

DECEMBER 04, 2019

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