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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 136/2022

SWASTIK ENERCON PROJECTS LIMITED

..... Plaintiff

Through: Mr. Sanjay Jain, Ms. Ankita Kedia
Adv.

versus

HARYANA STEEL TRADING CORPORATION Defendant

Through: Mr. Sameer Dewan, Adv. for
defendant (M: 9810134864)
Mr. Nitish Chaudhary, Mr. Shaurya
Aditya Singh, Adv. for proposed D2

CORAM:

DR. JAGMINDER SINGH (DHJS) JOINT REGISTRAR (JUDICIAL)

ORDER

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26.02.2024

CS(COMM) 136/2022

Written statement as well as rejoinder has already been filed.

I.A. No. 3443/2022

This is an application moved under Order XXXIX Rules 1 & 2.

Reply has already been filed.

At request of learned counsel for learned counsel for plaintiff, put up for filing rejoinder, if any, with advance copy to the opposite party and for completion of pleadings in this IA before the next date of hearing.

I.A. No. 3444/2022(Application under Section 151 of Code of Civil Procedure, 1908 for exemption for filing clear, proper, typed, certified or original copies of documents)

Exemption allowed, subject to all just exceptions.

I.A. stands disposed of.



I.A. No. 3445/2022(Application under Section 151 of the Code of Civil Procedure, 1908 on behalf of the applicant/plaintiff seeking condonation of delay in refiling the suit)

Learned counsel for plaintiff submitted that as summoning in this suit has already been done by the Hon'ble Court, this application may be disposed of being infructuous.

Hence, the captioned IA stands disposed of being infructuous.

I.A. No. 12630/2023(Application on behalf of plaintiff under Order 1 Rule 10 read with Section 151 of the Code of Civil Procedure, 1908, for impleadment of M/S Swastik Pipes Ltd. as defendant no. 2)

Notice has already been issued to the proposed defendant no. 2 but same has been unserved.

However, learned counsel Mr. Nitish Chaudhary, appeared on behalf of the proposed defendant no. 2 and stated that he is having no objection upon this application and accordingly, does not want to file reply.

Learned counsel for defendant stated that he seeks time to file reply and further stated that he could not file reply as his file of this suit as well as counter-claim have been lost inadvertently.

Hence, in the interest of justice one opportunity is granted.

Put up for filing reply, if any, with advance copy to the opposite party and for arguments on this application for 30.05.2024.

**DR. JAGMINDER SINGH (DHJS)
JOINT REGISTRAR (JUDICIAL)**

FEBRUARY 26, 2024/sms