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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 638/2019**
M/S LIBERTY FOOTWEAR COMPANY

..... Plaintiff

Through: Ms.Deepika Pokharia, Adv.

versus

M/S LIBERTY FASHION OUTFIT

..... Defendant

Through: Mr.Siddharth Pandey, Adv.

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. PURSHOTAM PATHAK
(DHJS)**

ORDER

% **25.04.2022**

**I.A. No.1310/2022 filed on behalf of plaintiff for condonation of
delay in filing replication and statement of admission/denial,
under Section 5 of the Limitation Act**

Heard.

The present application has been filed on behalf of plaintiff for condonation of delay in filing replication and statement of admission/denial. It is stated by learned counsel for the plaintiff that the copy of written statement was received by the plaintiff on 20.12.2019 and thereafter he filed the replication along with statement of admission/denial on 01.02.2020.

Learned counsel for defendant submits that he has no objection if the application is allowed.

Since the replication has been filed within the outer limit of 45



days though beyond 30 days as prescribed under law, supported with cogent reason and not opposed, therefore in the interest of justice, the delay is condoned and the application is allowed.

Replication and statement of admission/denial is taken on record.

I.A. stands disposed of.

I.A. No.1311/2022 filed on behalf of plaintiff under Order XI Rule 1(5) of the Commercial Courts Act, 2015 read with Section 151 CPC seeking leave to produce additional documents

Reply not filed. Learned counsel for defendant submits that he has already filed the reply vide diary no.704181 on 22.04.2022. However, the same has not come on record. Let the learned counsel to check with Registry about the status of reply, remove the objections and to take steps to bring the same on record by next date of hearing.

Rejoinder, if any be filed as per rules thereafter.

Put up for completion of pleadings on next date of hearing.

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Put up for completion of pleadings on 11.07.2022.

APRIL 25, 2022/tp

PURSHOTAM PATHAK (DHJS), J

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