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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 649/2024 & I.A. 35511/2024**
M/S SHYAMSREE DEVELOPERS PRIVATE LIMITED

.....Plaintiff

Through: Mr. Vipul Wadhwa, Ms. Kashika Gera
and Mr. Rishabh Rela, Advs.

versus

MIS REDECON (INDIA) PRIVATE LIMITED & ANR.

.....Defendants

Through: Mr. Siddhant Nath and Mr. Bhavishya
Makhija, Advs. for D-1.
Mr. Sanjay Pandey, ASO from O/o
S.R-V for D-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

11.11.2024

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I.A.44290/2024 (by the defendant no. 1 under Section 5 of the Limitation Act seeking condonation of delay in filing the present written statement)

1. The learned counsel for the defendant no.1 submits that though the written statement has been filed but there is a delay of 45 days and reason for delay has been explained in the application.
2. The learned counsel for the plaintiff submits that he has no objection in case the delay is condoned subject to cost.
3. It is not in dispute that the written statement has been filed within the maximum period of 120 days prescribed for filing written statement.
4. In view of the above and for the reasons mentioned in the application, the same is allowed and the delay of 45 days in filing the written statement is



condoned subject to the defendant no.1 paying cost of Rs.20,000/- to the plaintiff.

5. The written statement is taken on record.

6. The application stands disposed of.

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7. Let replication be filed within a period of 30 days.

8. List before the learned Joint Registrar for completion of pleadings, admission/denial of documents and marking of exhibits on 02.02.2025.

9. List before Court for framing of issues on 17.03.2025.

10. Interim orders to continue, if any.

VIKAS MAHAJAN, J

NOVEMBER 11, 2024/dss