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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 663/2024
AHV INVESTMENTS PRIVATE LIMITED Plaintiff
Through: Mr.Ananya Mohan, Adv.

versus

M/S SWARN JAYANTI CONSTRUCTION PVT LTD &
ORS.
..... Defendant
Through: Ms. Indira Bhakar, Mr. Vineet
Singh & Mr. Nitesh, Advs. for
D-1 to 3

CORAM:
**JOINT REGISTRAR (JUDICIAL) SH. MANISH
SHARMA, (DHJS)**

% **ORDER**
13.10.2025

**I.A.No.16983/2025 (under Order VIII Rule 1 r/w
Section 151 CPC filed on behalf of the defendants
seeking condonation of delay of 118 days in filing the
written statement)**

1. Learned counsel for the plaintiff submits that he has no objection, if the captioned IA is allowed subject to heavy cost as there is delay of 118 days.
2. It is averred in the captioned IA that vide order dated 18.03.2025, the defendants were directed to file written statement. It is further averred that the defendant nos.2 & 3 were out of the country and the written statement could not be filed within time. It is also averred that complete set of paper book was not supplied by the plaintiff and after receipt of the same, written statement was filed by the defendants.
3. Heard. Record perused.



4. Perusal of record shows that learned counsel for defendnat no.1 entered appearance on 18.03.2025 and the defendants were granted time to file the written statement. Defendant nos.2 & 3 were also served with the summons of the suit. Further perusal of record shows that the written statement was filed on behalf of the defendants vide diary no.4747138/2025 dated 15.07.2025. There is a delay of around 118 days in filing the written statement by the defendatns in the present case.
 5. In view of the averments made in the captioned IA as well as in view of the submission made by learned counsel for the plaintiff, the applicaiton is allowed subject to cost of Rs.20,000/- to be paid by the defendants to learned counsel for plaintiff.
 6. Written statement and affidavit of admission/denial filed by the defendants still lying under objection. Learned counsel for the defendants is requested to check it up with the Registry and have the same placed on record.
 7. IA stands disposed of.
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8. Delay in filing of written statement and affidavit of admission/denial of documents by defendant nos.1 to 3 is condoned today.
 9. Let the pleadings be completed as per law.
 - 10.Learned counsels for the parties submit that the matter may be placed before the Hon'ble Court on the date already fixed and they will make appropriate submissions before the Hon'ble Court.



11. At joint request,  matter before the Hon'ble Court for further directions on the date already fixed i.e. **17th October, 2025.**

MANISH SHARMA, (DHJS)
JOINT REGISTRAR (JUDICIAL)
OCTOBER 13, 2025/nk