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

+ **CS(COMM) 901/2022**

SMT. SAVITA GUPTA & ORS. Plaintiffs

Through: Mr. P.K. Rawal & Mr. Tarun
Agarwal, Advocates.

versus

M/S NATHU SWEETS Defendant

Through: None.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **23.12.2022**

I.A. 22208/2022(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.

The application stands disposed of.

CS(COMM) 901/2022

1. The plaint be registered as a suit. Summons be issued to the defendants by all permissible modes on filing of process fee. *Dasti* service of summons upon the defendant is also permitted, in addition. Affidavit of service be filed within two weeks.
2. The summons shall indicate that the written statements must be filed within thirty days from the date of receipt of the summons. The defendants shall also file affidavits of admission/denial of the documents filed by the plaintiff, failing which the written statements shall not be taken on record.
3. The plaintiff is at liberty to file replications thereto within fifteen



days after filing of the written statements. The replications shall be accompanied by affidavits of admission/denial in respect of the documents filed by the defendants, failing which the replications shall not be taken on record.

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

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

6. List before the Joint Registrar for marking of exhibits on 07.03.2023.

7. List before the Court on 17.02.2023.

I.A. 22207/2022 (Application under Order XXXIX Rule 1 & 2) & I.A. 22209/2022 (Application for interim relief)

1. Issue notice. Notice be served upon the defendant by all permissible modes. *Dasti* service, in addition, is also permitted.

2. Learned counsel for the plaintiff may also serve notice of these applications upon the defendant through the learned counsel who has addressed the legal notice dated 28.04.2022 to the learned counsel for the plaintiffs [at page No. 428 of the petitioner's list of documents].

3. Replies to these applications may be filed within three weeks after service. Rejoinders thereto, if any, may be filed within one week thereafter.

4. List on 17.02.2023.

PRATEEK JALAN, J

DECEMBER 23, 2022

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