



\$~5

*

+

LTD.

IN THE HIGH COURT OF DELHI AT NEW DELHI
CS(COMM) 872/2025
M/S PARNIKA COMMERCIAL AND ESTATES PVT.

..... Plaintiff

Through: Mr. Bhupesh Narula, Mrs. Rinku
Narula & Mr. Kanishk Taneja,
Adv.

versus

UNION OF INDIA & ANR.

..... Defendant

Through: Mr. Sushil Kumar Pandey, Adv.
SPC with Mr. Vishnukant Kumar
& Mr Sarvesh Srivastava, Adv.
for D-1 (Mobile No.9873588234)
Mr. Arjun Bhaskar & Ms. Kiran
Rathore, Adv. For D-2 (Mobile
No.9711285445)

CORAM:

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

ORDER

12.01.2026

%

**I.A. 31427/2025 (u/s 8 of the Arbitration and
Conciliation Act, 1996)**

1. It is submitted that the matter is coming up before the
Hon'ble Court on 23.01.2026.
2. Reply to the captioned IA has been filed by the
plaintiff.
3. Let the pleadings be completed as per law.

I.A. 29891/2025 (under Order VII Rule 11 of CPC)

4. Reply to the captioned IA has been filed by the
plaintiff.
5. Let the pleadings be completed as per law.

I.A.No.29898/2025 (under Order VIII Rule 1 CPCa)



filed on behalf of defendant no.1 seeking condonation of delay in filing the written statement)

6. As per office note, notice could not be issued to the plaintiff as PF not filed.
7. Learned counsel for the plaintiff accepts notice of the captioned IA and submits that he does not wish to file reply.
8. It is averred in the captioned IA that the defendant appeared through counsel on advance notice on 21.08.2025. It is further submitted that counsel for defendant no.1 could not communicate defendant no.1 due to lack of contact details of the department and he communicated only in the second or last week of October, 2025. It is also averred that the defendant no.1 filed the written statement vide diary no.8356818/2025 on 11.12.2025 but the same was returned under objection. It is submitted that the written statement could not be filed by the defendant no.1 within the prescribed period of 30 days, however, the same was filed within the extended period of limitation of 120 days. It is prayed that delay in filing the written statement may be condoned.
9. Heard. Record perused.
10. It is an admitted fact that learned counsel for the defendant no.1 appeared before the Hon'ble Court on 21.08.2025 on service of advance notice. However, the defendant no.1 filed the written statement for the first time only on 11.12.2025 which was returned under objection. It is evident from the record that the defendant no.1 failed to file the written statement within



30 days but the same was filed within the extended period of 120 days.

11. In view of the averments made in the captioned IA, the application is allowed subject to cost of Rs.10,000/- to be paid by defendant no.1 to learned counsel for the plaintiff. Delay in filing the written statement by defendant no.1 is condoned.

12. Written statement filed on behalf of defendant no.1 is lying under objection. Learned counsel for defendant no.1 is requested to check it up with the Registry to remove all other objections and place the same on record within a week.

13. IA stands disposed of.

CS(COMM) 872/2025

14. Written statement, documents and affidavit of admission/denial of documents have already been filed on behalf of defendant no.2.

15. Delay in filing written statement on behalf of defendant no.1 has been condoned today.

16. Let the pleadings be completed as per law.

17. 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.

18. At joint request, list the matter before the Hon'ble Court for further directions on the date already fixed i.e. **23rd January, 2026.**

MANISH SHARMA, (DHJS)
JOINT REGISTRAR (JUDICIAL)
JANUARY 12, 2026/nk