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

+ CS(COMM) 775/2024, I.A. 5380/2025

KMV PROJECTS LIMITED

.....Plaintiff

Through: Mr. Avinsah Trivdei, Mr. Rahul Aggarwal,
Advs.

versus

NBCC (INDIA) LTD.

.....Defendant

Through: Mr. Ravi K. Chandna, Mr. Malyaj Sehgal,
Advvs.

CORAM:

JOINT REGISTRAR (JUDICIAL) MS. TYAGITA SINGH, (DHJS)

ORDER

% 17.03.2025

Matter is taken up through physical hearing as well as video conferencing.

I.A. 5380/2025 (Application u/O VIII Rule 1 r/w Sec. 151 CPC filed by defendant)

This is fresh application for condonation of delay in filing Written Statement.

Notice accepted. Ld. Counsel for plaintiff does not wish to file Reply. Arguments heard. Ld. Counsel for defendant has stated that summons were served upon defendant on 29.10.2024 and Written Statement was filed on 06.02.2025 and delay of 68 days beyond the initial period of 30 days has been caused due to the fact that the transaction pertained to year 2016 and the concerned officers had been transferred to some other location due to which time was taken in contacting the concerned officers and filing the Written Statement.

CS(COMM) 775/2024

Page 1 of 2



Ld. Counsel for plaintiff has stated that delay of about 120 days has been caused in filing Written Statement and defendant should be burdened with heavy cost for causing delay.

Keeping in view the abovestated facts and circumstances and reasons mentioned in the application, the application stands allowed and delay in filing Written Statement is condoned subject to cost of Rs. 5000/- to be paid by defendant to plaintiff. The cost stands paid in cash by Ld. Counsel for defendant to Ld. Counsel for plaintiff in Court today. **I.A. stands disposed off.**

Any other objection raised by the Registry be removed within one week so that Written Statement comes on record. Replication may be filed by plaintiff within four weeks with advance copy to the opposite party.

Thereafter, Joint Document Schedule be filed by the plaintiff within four weeks, after obtaining comments and signatures from Ld. counsels for defendants. Parties are directed to file signed pleadings and hard copy of documents on record within four weeks with the Registry.

Be fixed for admission/denial and marking of exhibits on 26.05.2025.

**TYAGITA SINGH, (DHJS),
JOINT REGISTRAR (JUDICIAL)**

MARCH 17, 2025/sm