



\$~15

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 635/2023**
KAPLAN, INC. Plaintiff

Through: Ms. Rima Majumdar,
Mr. Gaurav Goswami, Advocates

versus

GALAXY BOOK CENTRE & ORS. Defendant

Through: Mr. Sarthak Sharma, Ms. Kangan
Roda (VC), Advocates for D-2.
Mr. Ravi Kant Srivastava,
Advocates for D-3 to 6.
Mr. Nipun Katyal, Ms. Anam
Siddiqui, Advocates for D-9.
Mr. Vishesh Sharma,
Ms. Prasadhi Agrawal (VC),
Advocates for D-11

CORAM:
JOINT REGISTRAR (JUDICIAL) Dr. AJAY
GULATI (DHJS)

ORDER

% **30.04.2024**

I.A. No. 9486/2024 filed by the plaintiff to condone the delay on 42 days in filing the plaintiff's reply to defendant no. 3 to 6's application for rejection of plaint.

Issue notice.

Notice accepted by Id. Counsel for the defendant.

Ld. Counsel for the defendant submits that he has no objection if the application is allowed.

For the reasons stated in the application and in view of the 'no objection' of Id. Counsel for the defendant, application is allowed. Delay stands condoned. Reply is taken on record.

IA stands disposed off.



Since the reply has been taken on the record today, rejoinder in the main application bearing no. 3332/2024 be filed within a week.

I.A. No. 4453/2024 filed on behalf of defendant no. 3 to 6 for seeking condonation of delay of 85 days in filing the written statement and affidavit of admission and denial of documents.

Ld. Counsel for the plaintiff submits that she has no objection if the application is allowed subject to her right to object to the format of filing of affidavit of admission / denial of documents which is not as per the Commercial Courts Act.

For the reasons stated in the application and in view of the 'no objection' of ld. Counsel for the plaintiff, application is allowed subject to the liberty as sought aforesaid. Delay stands condoned. Written statement is taken on record. Replication be filed within the period permissible, as worked out from today.

IA stands disposed off.

CS(COMM) 635/2023:

In view of the service report of summons having been served on defendant nos. 1 to 4 & 6 to 13, as recorded in the order dated 04.01.2024, rights of defendant nos. 1, 2, 7 and 8 to file a written statement stand closed since the maximum permissible period to file the written statement has expired.

Defendant no. 9 does not wish to file any written statement. Written statement on behalf of defendant no. 11 is already on record. No replication is to be filed.

Matter is already listed before the Hon'ble Court for 08.05.2024.



Put up before the Hon'ble Court on the date already fixed
i.e. 08.05.2024, for further directions.

**Dr. AJAY GULATI (DHJS),
JOINT REGISTRAR (JUDICIAL)**

APRIL 30, 2024/sk

Click here to check corrigendum, if any