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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 595/2023**
ASHISH PADIA
..... Plaintiff

Through: Ms. Perna Jain,
Mr. Ishan Berry, Advs.

versus

VARUN FOILS LTD
..... Defendant
Through: Ms. Yogita Rathore, Adv.

CORAM:
JOINT REGISTRAR (JUDICIAL) Dr. AJAY GULATI

% **ORDER**
29.02.2024

I.A. No. 16298/2023 (u/order 39 Rule 1 & 2 by plaintiff) &
I.A. No. 17752/2023 (u/order 7 Rule 11 CPC by defendant) &
I.A. No. 19849/2023 (by plaintiff for amendment of the suit)-

Pleadings are already complete in above captioned IAs.

I.A. No. 25165/2023 (by defendant u/s 151 CPC for condonation of delay of 69 days in filing written statement)

Notice accepted by Id. Counsel for the plaintiff who submits that the delay may be condoned but subject to some cost. Having gone through the contents of the IA which is briefly worded and wherein routine excuses of voluminous documents filed by the plaintiff and unavailability of defendant's AR has been stated as the reason for delay in filing the written statement without bothering to substantiate any further as to how such reasons have actually contributed to the delay, this Court is of the understanding that delay can be condoned but subject to cost of Rs. 3000, to



be paid to the Plaintiff. Replication, if any, be filed within the period permissible as worked out from today without waiting for the cost to be paid. Cost however be paid before the next date of hearing before the Hon'ble Court.

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Put up before the Hon'ble Court on 14.3.2024 which is the date already scheduled, for further directions.

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

FEBRUARY 29, 2024

Click here to check corrigendum, if any