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

+ **CS(COMM) 766/2023 & I.A. 30564/2025 O.A. 220/2025**

RAJ KUMAR GUPTA

.....Plaintiff

Through: Mr. Aakash Bhambri, Advocate.

versus

RAMESH KUMAR C

.....Defendant

Through: Ms. Mary Jonet, Ms. Apurva Singh,
Mr. Vijaya Krishnan D.P. and Mr.
Poovendira Kumar M, Advs.

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **08.12.2025**

I.A. 30564/2025

1. This is an application under section 151 CPC, seeking exemption from filing certified copies of documents to the appeal, clear copies of the illegible documents
2. Subject to the Plaintiff filing certified copies, clear copies and translations within a period of 30 days from today, exemption is granted for the present, failing which, the plaintiff will not be entitled to rely upon these documents.
3. The application is disposed of.

O.A. 220/2025

4. This is a chamber appeal filed under Chapter II Rule 5 of the Delhi High Court (Original Side) Rules, 2018 read with Section 151 of the Code of Civil Procedure, 1908 ('CPC') by the defendant against the order dated 20.11.2025 passed by the learned Joint Registrar (J), whereby the defendant's right to bring the written statement on record has been closed.



5. Learned counsel for the appellant/defendant states that defendant was served with summons on 11.12.2024 and had filed its written statement on 15.05.2025. She states that this filing was done within 120 days. She submits that an advance copy of the written statement was served on the plaintiff.
6. She states that thereafter filing counsel, Mr. Raja Mohammad Asif was required to follow up with the registry regarding the removal of defects in the written statement. However, the said counsel has failed to take appropriate steps and in these circumstances on 20.11.2025, the learned Joint Registrar (J) has closed the right of the defendant.
7. She states that even as on date, the written statement continues to remain in defects, as the defendant and its new counsel are unable to coordinate with Mr. Asif. She states that since the original filing was done by Mr. Raja Mohammad Asif, the new counsel is unable to rectify the defects and bring the written statement on record.
8. Issue Court notice to Mr. Raja Mohammad Asif to remain personally present in Court and to file its response to assertion of the defendant recorded in this order and the appeal.
9. In the meantime, the registry is directed to send a report with respect to the nature of defects marked on the original filing, which is filed vide e-diary no. 3465238/2025.
10. The defendant is directed to remain personally present in Court on the next date of hearing.
11. List on **19.02.2026**, the date already fixed.

MANMEET PRITAM SINGH ARORA, J

DECEMBER 8, 2025/hp