



2026:DHC:2059

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 628/2023**
ITW GSE APS & ANR.Plaintiff

Through: Mr. Gursimran Singh Narula,
Advocate

versus

DABICO AIRPORT SOLUTIONS PVT LTD & ORS.
.....Defendant

Through: Mr. Himanshu Bagai,
Ms. Deepshikha Sarkar,
Ms. Bhanu (VC), Advocates
for D-1 to 3 and counter
claimants 1 & 2.

Mr. Sanyam Suri (VC),
Advocate for D-4.

CORAM:
JOINT REGISTRAR (JUDICIAL) Dr. AJAY GULATI

% **ORDER**
25.07.2024

I.A. No. 34270/2024 filed by the plaintiff u/s 151 CPC.

1. The present application has been filed with two prayers, first of which to allow three applications which are pending and which have been filed by the plaintiff i.e. IA No. 9850/2024 (in the counter claim no. 1/2024), IA No. 9851/2024 and IA No. 9852/2024. All these three applications have been directed to be listed before this Court on 21.08.2024 by the Hon'ble Court vide order dated 04.07.2024. This Court does not see any reason to entertain another application with a prayer to allow already pending applications which prayer in any case has been made in the pending applications.



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2. The second prayer in this IA is to close the right of the defendant to file a reply to the above mentioned applications. Ld. Counsel for the defendants submits that no reply is to be filed to IA no. 9851/2024 and 9852/2024 but some time has been sought to file a reply to the IA No. 9850/2024. These submissions can also be taken up when the individual IA's are to be taken up and which are listed for 21.08.2024. However, in order to expedite the matter and on the concession extended by ld. Counsel for the defendants in regard to IA No. 9851/2024 and IA No. 9852/2024, all three IAs are being taken up today. This application stands disposed off accordingly.

I.A. No. 9851/2024 seeking condonation of delay of 74 days in filing the rejoinder on behalf of the plaintiffs to the reply filed by defendant nos. 1 and 2 to application under Order II Rule

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I.A. No. 9852/2024 seeking condonation of delay 84 days in filing the rejoinder on behalf of the plaintiffs to the reply filed by defendant nos. 1 and 2 to application under Order XI Rules 1 and 2.

3. Ld. Counsel for the defendants submits that there is no objection to the applications being allowed. Consequently, the respective delays are condoned and the rejoinders are taken on record.

4. Both the IA's are disposed off accordingly.

I.A. No. 9850/2024 (Counter Claim No. 1/2024) seeking condonation of delay of 56 days in filing the written statement to counter claim filed by the counter claimant no. 1 and 2.

5. Final opportunity is granted to the defendant / counter



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claimant to file reply within a week failing which right to file reply shall stand automatically closed. Re-list on the next date.

6. Put up for completion of pleadings / further proceedings on 21.08.2024, the date already fixed.

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

JULY 25, 2024/sk

Click here to check corrigendum, if any