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

+ CS(COMM) 787/2018 & I.A. 14476/2025 (under Order XXXVIII Rule 5 r/w Section 151 of CPC)

DR. KAPIL GANDHI

.....Plaintiff

Through: Mr. Navdeep Singh, Adv. with
plaintiff in person

versus

PERFECT WELLNESS PRIVATE LIMITED

.....Defendant

Through: Mr. Saket Gogia, Ms. Sheetal
Maggon & Mr. Deepesh Meena,
Advs.

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. SUMIT
DALAL, (DHJS)**

ORDER

11.03.2026

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1. As per the office note, the affidavit of admission/denial filed on behalf of the Plaintiff in respect of the additional documents of the Defendant is taken on record.
2. As per the office note, the affidavit of admission/denial filed on behalf of the Defendant has also been filed. Learned counsel for the Plaintiff raises an objection that the said affidavit is not proper. He invites the attention of the Court to the order dated 19.12.2025, whereby the Hon'ble Court had permitted the Defendant to modify the affidavit of admission/denial only to the extent that the Defendant could not deny public documents such as RTI documents.



3. It is submitted that in the recently filed affidavit of admission/denial, the Defendant has denied certain documents which had earlier been admitted by the Defendant in the original affidavit of admission/denial filed along with the Written Statement.
4. Learned counsel for the Defendant submits that the errors in the recently filed affidavit of admission/denial have occurred inadvertently, and he undertakes to file a fresh affidavit of admission/denial today itself.
5. The said submission is strongly opposed by the learned counsel for the Plaintiff, who submits that the conduct of the Defendant has resulted in inordinate delay in the proceedings. He further submits that if liberty is granted to the Defendant to file a fresh affidavit of admission/denial, the same should be subject to imposition of costs.
6. Heard and considered.
7. This Court is of the view that the Defendant ought to have been more careful while filing the affidavit of admission/denial. Firstly, public documents ought not to have been denied, and secondly, even after being granted an opportunity, the Defendant has failed to file a correct affidavit of admission/denial, which has unnecessarily resulted in delay in the proceedings.
8. Nevertheless, in the interest of justice, last and final opportunity of two days is granted to the Defendant to file a fresh affidavit of admission/denial after making the aforesaid corrections, subject to costs of ₹5,000/- to be paid to the Plaintiff.
9. Upon filing of the corrected affidavit of



admission/denial on behalf of the Defendant, let the Joint Document Schedule along with hard copies, as required under the rules, be filed at least three weeks prior to the next date of hearing.

10. List for admission/denial of documents and marking of exhibits on the admitted documents, if any, on **30.04.2026.**

**SUMIT DALAL, (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MARCH 11, 2026/nk