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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 1045/2024
KLUSTER LLC & ANR.Plaintiff

Through: Ms. Swapnil Gaur, Adv.
(M- 9897905254)
(swapnilgaur@ralegal.co.in)

versus

MR. DEVAL RAVINDRABHAI BAMBHANIYA & ORS.
.....Defendant

Through: Mr. Miln Vagadiya & Mr.
Hiren U Trivedi, Advs. for
D-1 to 3 (through VC); Mr.
Sourabh Leekha, Adv. for
D-4.(M- 931232954)
Mr. Abhay Mahajan & Mr.
Shivam Malhotra, Advs. for
D-5.(M- 9910050991)
(abhay@mahajanandassociates.in)

Ms. Arushi Mann & Ms.
Priyanka Jaiswal, Advs. for
D-6. (M- 7862887964)

Mr. Rishabh Rao, Adv. for
D-7.(M- 7676012211)

Ms. Priya Goyal & Mr.
Aakash Deep Singh, Advs.
for D-8. (M- 9958061667)

Ms. Mishthi Dubey & Mr.
Abhay Aren, Advs. for D-9.
(M- 9897862900)

Mr. Yash Bokolia 7 Mr.
Nitin Kumar Goyal, Advs.
for D-10 (through VC)
(M- 8375985898)

(yash@nakslaw.com)

CORAM:
JOINT REGISTRAR (JUDICIAL), SUDHIR KUMAR
SIROHI (DHJS)

ORDER
02.07.2025

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Learned counsel for the plaintiff submitted that the written statement has been filed after delay by defendant no. 1 to 3. Learned counsel for the defendant no. 1 to 3 submits that the matter be



referred to the Delhi High Court Mediation & Conciliation Centre.

Learned counsel for the plaintiff submits that she is ready for the Delhi High Court Mediation & Conciliation Centre with defendant no. 1 to 3, therefore, on request of the parties, the matter be referred to the Delhi High Court Mediation & Conciliation Centre between plaintiff and defendant no. 1 to 3 on **10.07.2025**.

Application of the defendant no. 8 & 10 are pending u/o 1 Rule 10 and the reply has not been filed by the plaintiff, though the learned counsel for the plaintiff submits that the reply has been filed yesterday and she will move an appropriate application for the condonation of delay.

Learned counsel for the plaintiff has also submitted that the replication has been filed to the written statement of the defendant no. 5 yesterday and she will also move an appropriate application for the condonation of delay for filing the replication.

Learned counsel for the defendant no. 5 submits that he has also paid the costs.

Learned counsel for defendant no. 6 submits that the reply to the application u/o 39 Rules 1 & 2 may be taken on record and she has already paid the costs on 02.04.2025. The reply filed by learned counsel for the defendant no. 6 of application u/o 39 Rules 1 & 2 be taken on record.

The replication to the written statement of the defendant no. 6 was filed by the plaintiff on 02.05.2025 as per learned counsel for the plaintiff but the learned counsel for the defendant no. 6 submitted that she has received the copy of the replication on 30.05.2025.

The replication of the plaintiff to the written statement of defendant no. 7 be taken on record.

Learned counsel for the defendant no. 10 submitted that the he



has supplied the written statement to the plaintiff on 02.04.2025 and the replication was then filed on 02.05.2025 as per learned counsel for the plaintiff but the learned counsel for the defendant no. 10 submitted that the replication was served to him on 30.05.2025.

As per the system noting the replications of the plaintiff to the written statement of the defendant nos. 6 & 10 are under objections. Learned counsel for the plaintiff seeks time to remove the objections and to argue that her replications may be taken on record supporting with the relevant judgement.

IA No. 11121/2025 (By defendant no. 4 u/s 151 CPC seeking condonation of delay in filing the written statement)

Learned counsel for the defendant no. 4 submits that his application for condonation of delay of filing of written statement is pending. Learned counsel for the plaintiff submits that the same be allowed, subject to the costs. The application of defendant no. 4 u/s 151 CPC for condonation of delay in filing of the written statement is allowed, subject to costs of Rs. 5,000/- to be paid before the next date of hearing to plaintiff and the time to file the replication shall reckon from the payment of the costs and the written statement be taken on record.

List the matter before Delhi High Court Mediation & Conciliation Centre on **10.07.2025** and for the consideration on the aspect of replication of the plaintiff with respect to the written statement of defendant nos. 5, 6 & 10 on **30.07.2025** subject to the orders of the Hon'ble Court.

The registry shall do the needful.

**SUDHIR KUMAR SIROHI (DHJS)
JOINT REGISTRAR (JUDICIAL)**

JULY 2, 2025/jr

[Click here to check corrigendum, if any](#)