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

+ **CS(COMM) 1193/2025**

BALVINDER SINGH KAPOOR

.....Plaintiff

Through: Mr. Samrat Nigam, Sr. Advocate
along with Mr. Shrey Chathly and
Mr. Aashneet Singh Anand,
Advocates.

versus

VILLAGE FOOD COURTS PVT LTD

.....Defendant

Through: Mr. Apoorv Kurup, Sr. Advocate
along with Mr. Aayush Mishra and
Mr. Varun Bajaj, Advocates.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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07.07.2026

IA No.6638/2026 (on behalf of the defendant seeking condonation of delay in filing the written statement)

1. The present application has been filed by the defendant seeking condonation of delay in filing the written statement. The said application is not opposed.
2. Considering the averments made in the application, the same is allowed; accordingly, the delay of 61 days in filing the written statement is condoned.
3. Let the plaintiff file its replication within the statutory period.
4. The application stands disposed of.

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5. Learned senior counsel for the plaintiff submits that the possession of the premises in question continues to be retained by the defendant inasmuch



as the one set of keys of the concerned premises continues to be with the defendant and the articles of the defendants have also not been removed from the said premises.

6. On the contrary, learned senior counsel for the defendant while acceding that the defendant has a set of keys submits that the lock of the concerned premises was changed by the plaintiff. He further submits that since the defendant did not have access to the concerned premises, the defendant has not been able to take out its articles therefrom.

7. Be that as it may, during the course of hearing, it is agreed as under:

- i. The set of keys available with the defendant in respect of the premises in question shall be handed over to the plaintiff latest within a period of one week from today;
- ii. The defendant would be allowed to remove its articles from the premises in question at the time of handing over of the keys of the concerned premises to the plaintiff;
- iii. The aforesaid exercise shall be done no later than 10 days from today and shall be without prejudice to the rights and contentions of the parties.

8. Respective counsel jointly request that the aforesaid exercise be carried out in the presence of a Local Commissioner to be appointed by this Court. Accordingly, Ms. Ananya Khanna, Advocate (Mob. No.: +91 9910038067) is appointed as the Local Commissioner for the aforesaid purpose.

9. The Local Commissioner shall be paid a fee of Rs.75,000/-, to be shared equally by the parties, in addition to reimbursement of any expenses.

10. List before the Joint Registrar (Judicial) on 11.08.2026 for completion



of pleadings.

11. List for further consideration on 28.09.2026.

IA No.27736/2025 (directions to the defendant to deposit arrears of rent)

12. List for hearing on 28.09.2026.

SACHIN DATTA, J

JULY 7, 2026/r