

\$~1

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

+ **CS(COMM) 199/2016**

GANNON DUNKERLEY & CO LTD

..... Plaintiff

Through: Mr. A.K. Seth & Mr. Vineet Seth,
Advocates.

versus

M/S PRAKASH INDUSTRIES LTD

..... Defendant

Through: Mr. Jaivardhan Jeph, Adv.

CORAM:

**SH. VIJAY SHANKAR (DHJS), JOINT REGISTRAR
(JUDICIAL)**

ORDER
% **26.02.2019**

I.A.No. 16906/2018 under Section 151 CPC for waiver of cost &

I.A.No. 16907/2018 under Section 5 of the Limitation Act, 1963 for re-filing the application of waiver of cost under Seciton 151 CPC, both filed by the defendant

It is submitted by counsel for the plaintiff that he does not wish to file reply to the aforesaid applications and he will straightway argue the same.

CS(COMM) 199/2016

Fresh/proper affidavit of admission/denial of the documents not filed by the plaintiff. Counsel for the plaintiff seeks further time for filing the same. Heard. Request is allowed subject to cost of Rs. 5,000/- to be

deposited with 'Bharat Ke Veer' corpus. Receipt of cost be furnished before the next date of hearing.

Plaintiff is directed to file proper/fresh affidavit of the documents in accordance with The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 within three weeks with direction to supply the advance copy of the same to opposite counsel.

Parties are directed to file 'document schedule' as per rules before the next date of hearing.

At joint request, re-notify the matter for consideration on the aforesaid applications and for admission/denial of the documents on **13th May, 2019.**

VIJAY SHANKAR (DHJS)
JOINT REGISTRAR (JUDICIAL)

FEBRUARY 26, 2019/nk