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* **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)

O R D E R
% **21.08.2019**

I.A.No.6940/2019 under Section 5 of the Limitation Act filed on behalf of the plaintiff for condonation of delay of 17 days in filing fresh affidavit of admission/denial of the documents and

I.A.No.11322/2019 under Section 5 of the Limitation Act filed on behalf of the plaintiff for condonation of delay of 65 days in re-filing affidavit of admission/denial of the documents

It is submitted by counsel for the plaintiff that he may be permitted to withdraw the aforesaid applications. Not opposed.

Heard. In view of the above submissions, the aforesaid applications stand disposed of as withdrawn.

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 Section 151
CPC, both filed by the defendant**

It is submitted by counsel for the parties that the aforesaid applications be taken up on the next date of hearing.

CS(COMM) 199/2016

Affidavit of admission/denial of the documents filed by the plaintiff still stated to be not as per law/rules. Counsel for the plaintiff seeks time for filing fresh affidavit of admission/denial of the documents. Heard. Request is allowed. Plaintiff is directed to file fresh/proper affidavit of admission/denial 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 advance copy of the same to the opposite counsel. Last opportunity is granted for filing the same.

At joint request, re-notify the matter for consideration on the aforesaid applications and admission/denial of the documents on **02nd December, 2019.**

**VIJAY SHANKAR (DHJS)
JOINT REGISTRAR (JUDICIAL)**

AUGUST 21, 2019/nk