



\$~8

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

+ CS(OS) 2752/2014

STERLING AND WILSON LTD Plaintiff

Through: Mr.Sanjeev Kumar Tyagi,
Advocate

versus

ARN INFRASTRUCTURES INDIA LTD Defendant

Through: Ms.Mayanka Dhawan, Advocate

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **05.12.2019**

I.A. 17006/2019 (exemption)

Exemption allowed, subject to all just exceptions.

The application is disposed of.

I.A. 17005/2019 (condonation of delay)

1. By an order dated 20.09.2019, the plaintiff was permitted to file additional documents within four weeks. This application is for condonation of delay of 40 days in filing the affidavit.

2. Issue notice. Ms.Mayanka Dhawan, learned counsel for the defendant, accepts notice. By the consent of the parties, the application is taken up for disposal.

3. Learned counsel for the defendant has no objection to the delay being condoned.

CS(OS) 2752/2014

page 1 of 2



4. The application is, therefore, allowed and the additional documents filed by the plaintiff are taken on record.

5. The application is disposed of.

I.A. 12986/2019 (under Order XII Rule 6 of the CPC)

1. Learned counsel for the plaintiff submits that the dues of the plaintiff have been admitted by the defendant *inter alia* in the list of sundry creditors for the period from 01.04.2016 to 31.03.2017, which forms part of the accounts of the defendant filed before the National Company Law Tribunal. [The said document is at page 211 of the additional documents filed by the plaintiff under Diary No.1432720/2019 on 26.11.2019].

2. Issue notice. Ms.Mayanka Dhawan, learned counsel for the defendant accepts notice. Reply be filed within two weeks. Rejoinder thereto, if any, be filed within two weeks thereafter.

3. List on 01.04.2020.

CS(OS) 2752/2014

1. Without prejudice to the contentions in the pending applications, list the suit before the Joint Registrar on 16.01.2020 for fixing a schedule to continue recording of the evidence.

2. List before Court on 01.04.2020.

PRATEEK JALAN, J

DECEMBER 05, 2019

'hkaur's

CS(OS) 2752/2014

page 2 of 2