



\$~6

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

+ **CS(OS) 2376/2013**

M/S KUSHAL INFRAPROJECT INDUSTRIES INDIA LTD

.....Plaintiff

Through: Mr. Pratham Sharma and Mr.
Harender Singh, Advs. (Mob:
8882039199) (through VC).

versus

BHOOM SINGH & ORSDefendants

Through: Mr. Abhijeet Panday and Ms.
Aurbaa Dutta, Advs. for D-13.

D-1 to 12, 14 and 15 were already
proceeded exparte vide order dated
14.10.2024.

CORAM:
JOINT REGISTRAR (JUDICIAL) SH. GAGANDEEP
JINDAL (DHJS)

O R D E R

18.11.2025

%

Proceedings are being conducted through hybrid mode.

I.A. No.42564/2024 (by D-13 for condonation of delay of 314 days in re-filing amended WS)

1. The captioned IA is listed today for arguments.
2. Ld. Counsel for the defendant no.13 request for short adjournment on the ground that there was delay in filing the amended written statement as well for which no application for condonation of delay has been filed.
3. Ld. Counsel for the plaintiff opposes the request on the ground that defendant no. 13 is delaying the proceedings. There is delay of more than 3 years in taking the appropriate steps for bringing the amended written statement on record which had been filed beyond 120 days.



4. The request for adjournment is declined.
 5. Arguments heard.
 6. I have gone through the record.
 7. Vide order dated 22.11.2022, defendant no.13 was directed to file the amended written statement within four weeks. The same has been filed in August, 2023 as mentioned in para no. 6 of the captioned IA.
 8. Chapter VII Rule 4 of Delhi High Court (Original Side) Rules, 2018 provides that outer limit for filing the written statement is 120 days. Chapter IV Rule 3 of Delhi High Court (Original Side) Rules, 2018 further provides that the defects in filing the pleadings has to be removed within 30 days in aggregate.
 9. The defendant no.13 failed to cure the defects in re-filing the written statement within outer limit of 120 days for filing the written statement. The outer limit of 120 days for filing or re-filing the written statement cannot be extended by the undersigned. Moreover, otherwise it would defeat the purpose for specifying the time limit of 120 days for filing the written statement. Therefore, the amended written statement alongwith affidavit for admission/denial of documents filed on behalf of defendant no.13 cannot be taken on record.
 10. The captioned IA is dismissed accordingly.
- I.A. No. 11525/2018 (by plaintiff u/O VII Rule 14 CPC)**
11. Pleadings qua the captioned IA are already complete.
- CS(OS) 2376/2013**
12. Pleadings in respect of the defendants no.1 to 10 are already complete.
 13. The defendants no.1 to 12, 14 and 15 have already been



proceeded ex-parte ~~vis~~ order dated 04.02.2025 passed by the Hon'ble Court.

14. Today the amended written statement filed on behalf of defendant no.13 is taken off record.
15. Pleadings are complete.
16. Let Joint Document Schedule including hard copy of the same be filed at least two weeks before the next date.
17. Both the parties shall file hard copies of their documents at least two weeks before the next date.
18. Re-notify the present matter for completion of pleadings and further proceedings on **4th February, 2026.**

GAGANDEEP JINDAL (DHJS)
JOINT REGISTRAR (JUDICIAL)
NOVEMBER 18, 2025/PU
[Click here to check corrigendum, if any](#)