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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(OS) 398/2016

SPICEJET LIMITED Plaintiff

Through: Mr. Kshitiz Khera, Adv.

versus

MR SANTOSH KUMAR SINGH Defendant

Through: Appearance not given.

CORAM:

SH. RAJ KUMAR TRIPATHI (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% **09.01.2018**

IA No. 12830/2017 (u/S 5 of The Limitation Act r/w Section 151 CPC filed by plaintiff for condonation of delay in filing reply to defendant's application for placing CD on record)

Notice of IA is accepted by counsel for defendant, who has no objection, if the delay as prayed in the IA is condoned.

For the reasons mentioned in the application and the submissions advanced by learned counsel for both the parties, the delay of eight days in filing reply to the application of defendant by the plaintiff, is directed to be condoned, in the interest of justice.

IA stands disposed of accordingly.

IA No. 385/2017 (u/S 151 CPC filed by defendant for taking on record CD containing telephonic conversations between defendant and the representative of plaintiff)

Reply to the IA filed by plaintiff has already come on record.



Heard.

Record perused.

Matter is at the initial stage and admission/denial of documents are yet to be conducted by the parties.

Issues are also yet to be framed.

The CD containing the telephonic conversation between the defendant and representative of plaintiff is reported to be material and relevant for adjudication of the dispute between the parties. Therefore, the instant IA preferred by defendant is hereby allowed.

The CD as prayed in the IA is directed to be taken on record. However, it is made clear that the said CD shall be accepted in evidence on being proved in accordance with law at appropriate stage.

IA stands disposed of accordingly.

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Learned counsel for plaintiff has admitted eight documents of defendant which have been marked as Ex D-1 to Ex D-8.

On the other hand, learned counsel for defendant has admitted seven documents of plaintiff which have been marked as ExP-1 to ExP-7.

Thus, admission/denial of documents stands complete.

Matter is ripe for framing of issues.

Accordingly, as prayed, matter be placed before the Hon'ble Court on 02.04.2018.

**SH. RAJ KUMAR TRIPATHI (DHJS)
JOINT REGISTRAR (JUDICIAL)**

JANUARY 09, 2018

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