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

+ **CS(COMM) 389/2017**

M/S SAKUMA EXPORTS LIMITED

..... Plaintiff

Through: Mr. Prabhakar Kandpal proxy counsel
for Mr. Amit Vashisth, Adv.

versus

M/S SIMBHAOLI SUGARS LIMITED & ORS Defendants

Through: Ms. Suneha Jain, Adv. for D-1
Mr. O.P. Gaggar, Adv. for D-3 in CC

CORAM:

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

ORDER

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23.03.2018

Replication to written statement of defendants not filed by plaintiff till date.

Counsel for plaintiff submits that he has filed replication to written statement of defendants in the main suit and written statement in the Counter Claim of defendants in the registry today itself vide diary nos. 93032 and 93035 respectively.

Copy of replication, written statement and documents already supplied to counsel for defendants.

Let replication to written statement in the Counter Claim, if



any, be filed by defendants within three weeks with advance copy to counsel for plaintiff.

CC (COMM) 1/2018

Court fees of Rs. 68000/- filed by defendants.

Defendant no. 2 has been served in the Counter Claim on 07.02.2018.

Defendant no. 3 has been served in the Counter Claim on 15.02.2018.

Mr. O.P. Gaggar, advocate appears and marks his appearance on behalf of defendant no. 3 and submits that in the Counter Claim defendant no. 3 has been mentioned as Pacific International Lines Mumbai Pvt. Ltd. while the actual name of the company is PIL Mumbai Private Ltd.

Let written statement to the Counter Claim be filed by defendant no. 2 and 3 within four weeks with advance copy to counsel for counter claimant who may file replication within two weeks thereafter.

Parties are directed to file their affidavit for admission/denial of documents as per Commercial Courts Act within six weeks after exchanging copies to each other.

They are further directed to produce the original documents in their power and possession in the Court, if not filed earlier, on the next date of hearing at the time of admission/denial of documents.

Parties are also at liberty to move application u/O XIII A CPC for passing of summary judgment within eight weeks from today.



List the matter for completion of pleadings in the Counter Claim and marking of exhibits to the documents on 30.07.2018.

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

MARCH 23, 2018
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