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

+ CS(COMM) 1283/2018 & IAs No.17012/2018 (u/O XXXIX R-1&2 CPC) & 11287/2019 (for condonation of 10 days delay in filing reply to IA No.17012/2018) & CC No.____/2020

AIRMID AVIATION SERVICES PVT. LTD. Plaintiff

Through: Mr. Nitesh Jain, Adv.

Versus

ORISSA STEVEDORES LIMITED Defendant

Through: Mr. Manish Kohli, Ms. Soumya Priyadarshinee and Mr. Piyush Singhal, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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23.01.2020

1. This order is in continuation of the order dated 4th December, 2019.
2. The costs imposed on the last date is reported to have been paid.
3. A Counter-Claim has since been preferred by the defendant.
4. The counsel for the plaintiff contends that though the Counter-Claim was purported to be preferred on 20th December, 2019 but without affidavit and without pagination and signature and has been re-filed only on 17th January, 2020 and thus was not preferred by 20th December, 2019, as provided in the order dated 4th December, 2019.
5. The plaintiff is free to take the said objection in the written statement to the Counter-Claim.
6. The Counter-Claim be registered.

7. The counsel for the plaintiff accepts notice of the Counter-Claim.
8. Written statement to the Counter-Claim be filed within the prescribed time.
9. Replication within thirty days thereafter.
10. List the suit as well as Counter-Claim for framing of issues and for consideration of the pending applications, on 27th July, 2020.

RAJIV SAHAI ENDLAW, J.

JANUARY 23, 2020

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