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

+ **CS(COMM) 589/2021**

**M/S HIMALAYAN FLORA AND AROMA PRIVATE
LIMITED**

..... Plaintiff

Through: Mr. Anand Mishra, Ms. Vandita
Nain & Ms. Ayushi Rajput, Advs.

versus

**UTTAR PRADESH IRRIGATION DEPARTMENT &
ANR.**

..... Defendant

Through: Mr. Anil Mittal, Mr. Shaurya
Mittal, Mr. Kumar Shubham,
Advs. for D-1.
Mr. Rachit Mittal, Mr. Panish
Mishra, Ms. Megha Tyagi, Mr.
Adarsh Srivastava, Advs. for D-2

**CORAM:
JOINT REGISTRAR (JUDICIAL) SH. MANISH
SHARMA, (DHJS)**

**ORDER
17.08.2023**

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**I.A.No.13986/2023 (under Order VIII Rule 1 r/w
Section 151 CPC filed on behalf of defendant no.1 for
condonation of delay in filing written statement)**

1. Learned counsel for plaintiff accepts notice of the captioned IA and submits that he does not wish to file reply.
2. Arguments heard. Record perused.
3. Right of the defendant no.1 to file written statement has already been closed vide order dated 25/07/2023. Learned counsel for defendant no.1 submits that he has



filed the written statement on 21/07/2023 and in the order dated 25/07/2023 it was mentioned inadvertently that the written statement has not been filed till date.

4. Since right of the defendant no.1 to file written statement has already been closed, there is no ground to condone the delay in filing written statement. Accordingly, the captioned IA is dismissed.
5. IA stands disposed of.

I.A.No.13987/2023 (filed on behalf of defendant no.2)

1. Perusal of record shows that the defendant no.1 has not filed complete copy of IA No.13987/2023.
2. As per office note, E-dak filed vide diary no.1309999 has been returned under objection. Let appropriate steps be taken to remove the objection.
3. Learned counsel for defendant no.2 submits that he contacted the Registry for filing complete copy of the captioned IA, however, Registry did not co-operate, hence he could not file complete copy of the captioned IA.
4. ***Registry is directed to co-operate with the learned counsel for defendant no.1. Registry is also directed to give report in this regard on the next date of hearing.***
5. Re-notify the matter for further proceedings on the date already fixed i.e. **04th September, 2023.**

MANISH SHARMA, (DHJS)
JOINT REGISTRAR (JUDICIAL)
AUGUST 17, 2023/nk
Click here to check corrigendum, if any