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

+ **FAO(OS) (COMM) 163/2021 & CM APPLs. 44330-31/2021, 44333/2021**

KANODIA INFRATCH LTD

..... Appellant

Through: Mr. Jayant Mehta, Sr. Adv. with Mr. Kunal Vajani, Mr. Shikhar Khare, Mr. Harsh Aggarwal, Advs.

versus

DALMIA CEMENT (BHARAT) LTD

..... Respondent

Through: Mr. Parag P. Tripathi, Sr. Adv. with Mr. Mahesh Aggarwal, Mr. Rishi Aggarwala, Ms. Niyati Kohli, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **28.02.2022**

[Physical Court hearing/ hybrid hearing (as per request)]

CM APPL. 10222/2022

1. This is an application filed on behalf of the respondent seeking condonation of delay in filing the reply to the appeal.
2. According to the respondent, there is a delay of 45 days.
3. Mr. Jayant Mehta, learned senior counsel, who appears for the appellant, says that he has no objection to the prayer made in the above-captioned application being allowed.
4. Accordingly, the prayer made in the above-captioned is allowed. The

FAO(OS) (COMM) 163/2021

Page No.1 of 2



delay is condoned.

4.1. The reply filed on behalf of the respondent will now, formally, be taken on record.

5. The application is disposed of.

FAO(OS) (COMM) 163/2021 & CM APPLs. 44330-31/2021, 44333/2021

6. Both the learned senior counsels appearing for the parties admit that they have been remiss in filing the written submissions in the matter.

7. Therefore, one more opportunity is given to the parties to file the written submissions in the matter, in terms of the order dated 09.12.2021.

8. List the matter on 07.09.2022, at the end of the board.

9. In the meanwhile, the appellant will take steps to bring the rejoinder on record.

RAJIV SHAKDHER, J

JASMEET SINGH, J

FEBRUARY 28, 2022/ 'ms'