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

+ CS(COMM) 668/2021 and IA No. 16918/2021
(application filed by the plaintiff u/S 151 CPC for
exemption from pre-institution mediation as provided/S
12A of Commercial Courts Act, 2015) IA No. 16915/2021
(application filed by the plaintiff u/O 39 Rules 1 and 2
CPC) and IA No. 17714/2022 (application filed by the
plaintiff u/S151 CPC for early hearing) and IA No.
21085/2022 (u/O XXXVIII Rule 5 CPC) and IA No.
21094/2022 (u/O VII Rule 14 CPC)

DEEV GENSET SALES AND SERVICES Plaintiff

Through: Mr. S. Suras Kaushik,
Advocate appeared
physically

versus

SANJAY MEHTA & ORS. Defendants

Through: Mr. Govil Upadhyaya and
Mr. Milind Srivastava,
Advocates appeared
physically

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. TYAGITA
SINGH, (DHJS)**

ORDER

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11.01.2023

*Matter is taken up through physical hearing as well as
video conferencing.*

CS(COMM) 668/2021

Replication of plaintiff to written statement of all
defendants has come on record alongwith affidavit of
admission/denial. Copy supplied.

Pleadings are complete.

**IA No. 20907/2022 (application filed by the plaintiff u/S 5 of
the Limitation Act r/w Section 151 CPC for condonation of
delay of 43 days in re-filing the application under Order XI
Rule 13 r/w Section 151 CPC)**



The present application has been filed by the plaintiff for condonation of delay in re-filing the application under Order XI Rule 13 CPC r/w Section 151 CPC.

Learned counsel for defendants has stated that he has no objection to the present application.

Heard. In view of the above submissions and reasons mentioned in the application, the application stands allowed and delay in re-filing the application under Order XI Rule 13 r/w Section 151 CPC, is condoned.

IA stands disposed off.

IA No. 20906/2022 (u/O XI Rule 5 CPC)

Notice was accepted by learned counsel for defendants on 09.12.2022 before the Hon'ble Court.

Learned counsel for defendants undertakes to file reply within two weeks. Be filed accordingly with advance copy to the opposite parties, as last opportunity.

Rejoinder, if any, be filed thereafter.

IA No. 21084/2022 (u/O XI Rule 1(5) CPC) and IA No. 21093/2022 (u/O XXXVIII Rule 5 CPC)

Notice accepted by learned counsel for defendants. Copy already supplied.

Learned counsel for defendants undertakes to file reply within four weeks. Be filed accordingly with advance copy to the opposite parties.

Rejoinder, if any, be filed thereafter.

Put up for completion of pleadings and further hearing on 27th March, 2023.

**TYAGITA SINGH, (DHJS)
JOINT REGISTRAR (JUDICIAL)**

JANUARY 11, 2023/savita

CS(COMM) 668/2021

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