

M/s. Jindal Steel and Power Ltd. ... Plaintiff
versus
M/s. DBM Geotechnics and Construction
(P) Ltd. and Anr. ... Defendants

Mr. Sairam Subramanian with Ms. Aastna Arora i/by M/s. Khaitan and Co., for Plaintiff.
Ms. Madhavi Nalluri with Ms. Aditi Bhatt, Ms. Krishma Agarwal i/by M/s. Vigil Juris, for Defendant No.1.
Mr. P.J.Mehta i/by Mr. S.S.Israni, for Defendant No.2.

CORAM: S.J. KATHAWALLA, J.

DATE: 8th MARCH, 2017

P.C.:

1. Perused the Chamber Order and the Affidavit in support thereto. Though substantial time was granted by the Prothonotary and Senior Master to the Defendant No.1 to file their Written Statement, the Defendant No.1 failed to do so. By his order dated 05-10-2016, the Prothonotary and Senior Master was therefore, constrained to transfer the suit against Defendant No.1 to the list of undefended suits.

2. The Defendant No.1 has now taken out the above Chamber Order for setting aside the order dated 05-10-2016 and for granting time to them to file their Written Statement. The Defendant No.1 is a company and ought to have filed Written

Statement within time. Even today the Defendant No.1 is not ready with its Written Statement. The Chamber Order deserves to be dismissed. However, only by way of indulgence, the Chamber Order is allowed and a week's time is granted to the Defendants to file their Written Statement and forward a copy of the same to the Advocate for the Plaintiff.

3. The Chamber Order is accordingly disposed of.
4. Place the Suit for Directions after the ad-interim matters on 15-03-2017.

(S.J.KATHAWALLA,J.)