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

+ CM(M) 200/2017

M/S MAKTEL POWER LTD Petitioner
Through Ms. Sonia A. Menon, Advocate.

versus

M/S SPARK UTILITY SERVICES PVT LTD Respondent
Through

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **23.02.2017**

CM No.6541-42/2017 (exemption)

Allowed subject to just exceptions.

CM(M) 200/2017 and CM No. 6540/2017 (stay)

1. By the present petition filed under Article 227 of the Constitution of India, the petitioner seeks to impugn the order dated 18.01.2017 by which the right to file the written statement of the petitioner was closed.
2. The petitioner put in appearance on 06.10.2016. The four weeks' time granted to file the written statement expired on 05.11.2016. It is urged that the petitioner company is based in Gujarat and in order to collect certain documents, an application was filed seeking extension of time. The time was extended till 06.12.2016. However, there was further delay in filing of the written statement on account of medical condition of the authorised representative whose medical certificate has been placed on record.

3. An advance copy of the petition has been sent to the respondent but none is present on its behalf.
4. Keeping in view the averments made, subject to payment of costs of Rs. 7,500/-, as a last opportunity the petitioner may file the written statement within two weeks time from today.
5. In view of the above, the petition stands disposed of.
6. All pending applications also stand disposed of.

JAYANT NATH, J

FEBRUARY 23, 2017
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