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

+ **FAO(OS) 151/2016**

M/S ARIHANT BUILDCON PVT LTD & ORS Appellants

Through : Mr Rakesh Sinha

versus

M/S AMBIENCE PVT LTD Respondent

Through : Mr Sumit Gahlawat with Mr T. S.
Thakroon

CORAM:

HON'BLE MR JUSTICE BADAR DURREZ AHMED

HON'BLE MR JUSTICE ASHUTOSH KUMAR

ORDER

% **20.01.2017**

The learned counsel for the appellants submits that the written statement can be taken on record subject to payment of some costs. We have even examined the factual matrix behind the non-filing of the written statement in time. This is not one of those cases where the delay in filing the written statement could not be condoned. Consequently, we direct that the written statement which had been filed be taken on record along with documents. The learned Single Judge shall now proceed with the suit by fixing a date for admission/denial of documents of the defendant. For this purpose, list before the learned Single Judge, in the first instance, on 24.01.2017. The learned counsel for the appellant shall pay costs of Rs 25,000/- as agreed by him to the learned counsel for the respondent.

The appeal stands disposed of.

BADAR DURREZ AHMED, J

ASHUTOSH KUMAR, J

JANUARY 20, 2017/SR