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

+ C.R.P. 74/2019 & CM APPL. 13480/2019

M/S OMM BARUNEI TRADERS PVT LTD Petitioner

Through: Mr. Subrat Deb and Mr. Ranjeet
Mishra, Advocates.

versus

MS SUMAN GROVER Respondent

Through: Mr. Avinash Trivedi, Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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15.01.2020

1. Petitioner impugns order dated 20.12.2018 whereby the application of the Petitioner under Order VII Rule-11 CPC has been dismissed. Subsequently, the defence of the Petitioner has been struck off.

2. Learned counsel for the Respondent submits that for an expeditious disposal of his Suit, he has no objection, if Petitioner is granted an opportunity to file its Written Statement subject to terms.

3. Accordingly, with the consent of the parties, the following order is passed:

(i) Petitioner withdraws his challenge to order dated 20.12.2018, rejecting his application under Order 7 Rule 11 CPC, subject to

his right to take up the plea of lack of jurisdiction in his written statement;

- (ii) The order striking of the defence of the Petitioner is set aside. Subject to payment of cost of ₹25,000/-, Petitioner shall file its written statement before the Trial Court within 30 days from today.
 - (iii) Trial Court shall expedite the proceedings and endeavour to conclude the same within a period of one year from the date issues are framed after the Written Statement is filed by the Petitioner.
- 4. Petition is disposed of, in the above terms.
 - 5. Order *dasti* under signatures of the court master.

SANJEEV SACHDEVA, J

JANUARY 15, 2020

SSC