



\$~66

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

+ **CM(M) 2742/2024**

M/S CHIRAG ENTERPRISES

.....Petitioner

Through: **Mr. S.K. Chaturvedi, Advocate**

versus

M/S SHANTI INDUSTRIES

.....Respondent

Through: **None**

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

%

29.07.2024

CM APPL. 42312/2024 (exemption)

Exemption allowed, subject to all just exceptions.

CM(M) 2742/2024 & CM APPL. 42311/2024 (early hearing)

1. I have seen last order dated 31.05.2024 when the notice was issued to the respondent. Respondent had appeared before the Court and accepted the notice.
2. In the interregnum, the present application has been moved seeking early hearing.
3. Heard.
4. Petitioner herein is defendant before the learned Trial Court and is aggrieved by order dated 15.04.2024 whereby learned Trial Court has allowed application moved under Order XI Rule 1 (5) r/w Section 151 CPC and permitted the plaintiff (respondent herein) to place on record additional documents.
5. As per impugned order, while allowing the application, learned Trial

CM(M) 2742/2024

1



Court had also permitted defendant (petitioner herein) to file rejoinder and also to file admission/denial of documents within two weeks. Fact remains that since above said order was impugned by the defendant before this Court, he could not do needful as mentioned above.

6. After hearing the arguments for some time, learned counsel for the petitioner states that without prejudice to his rights and contentions, he does not press the present main petition as such. He, however, states that he may be permitted to file rejoinder to the replication and also to file admission/denial of the documents which were permitted to be placed on record. He also seeks time to place on record list of witnesses.

7. It is informed that issues were framed on 21.05.2024 and since the above order has been impugned by filing the present petition, above directions could not be complied with.

8. It is submitted that there is no intention to delay the matter in any manner whatsoever.

9. Nobody appears on advance notice.

10. Be that as it may, in view of the aforesaid statement made by the learned counsel for petitioner, present petition is disposed of as not pressed.

11. Simultaneously, petitioner is permitted to submit replication, affidavit of admission/denial of documents and list of witnesses before the learned Trial Court on or before the next date of hearing which is stated to be 27.08.2024 with advance copy to the opposite side.

MANOJ JAIN, J

JULY 29, 2024/dr