



2025:DHC:6589



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% ***Date of Decision: 06th August, 2025***+ **CM(M) 1181/2025 & CM APPL. 39781-39782/2025****DEEP AUTOMOBILES PVT. LTD. & ORS.Petitioner****Through: Mr. Dilpreet Singh Gandhi, Ms.
Srishti Prabhakar and Mr. Nishant
Bishnoi, Advocates****versus****VALO SERVICESRespondent****Through: Mr. Naushad Ahmed Khan and Ms.
Archana Chaudhary, Advocates****CORAM:****HON'BLE MR. JUSTICE MANOJ JAIN****J U D G M E N T (oral)**

1. Learned counsel for respondent appears pursuant to notice and submits that despite being duly served with the process, petitioners i.e. defendants did not bother to defend the matter in right earnest.
2. It is submitted that present endeavour is a belated one and, therefore, the present petition does not have any substance or merit.
3. However, during course of further arguments, learned counsel for respondent submits that the respondent (who is plaintiff before the learned Trial Court) does not want any further delay in the matter and, therefore, without prejudice to its rights and contentions, it would have no objection if the written statement, which has been submitted before the learned Trial Court, though belatedly, but within the permissible outer limit of 120 days, is permitted to be taken on record, subject to imposition of exemplary cost.
4. Learned counsel for the petitioners leaves it to this Court to pass



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appropriate order accordingly.

5. Keeping in mind the overall facts of the case and also the gracious concession given by learned counsel for respondent, present petition is disposed of with the direction that the written statement, which was submitted before the learned Trial Court on 19.09.2023, shall be deemed to be on record. However, for such belated filing, petitioner is burdened with cost of Rs. 51,000/- to be paid to the opposite side.

6. Let the cost be cleared on the date fixed before the learned Trial Court which is stated to be 02.09.2025. Learned Trial Court shall also make its best endeavour to dispose of the suit, as expeditiously as possible.

7. Needless to say, in case cost is not paid on 02.09.2025, the learned Trial Court would be at liberty to proceed further with the matter, as it is, and would also be at liberty to hear final arguments and to dispose of the suit.

8. Pending applications also stand disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

AUGUST 6, 2025/dr/js