



2025:DHC:10518



\$~59

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

%

Date of Decision: 27.11.2025

+

CM(M) 2289/2025, CM APPL. 74327/2025 & 74326/2025**CYBERSEC INFORMATICS**

.....Petitioner

Through: Mr. Swapnil Gupta, Mr. Vibhash Jha
and Mr. Umesh Kumar Burnwal,
Advocates.

versus

AVION NETWORK

.....Respondent

Through: Ms. Anisha Mathur, Mr. Rahul
Kumar and Ms. Himani Kalra,
Advocates.

CORAM: JUSTICE GIRISH KATHPALIA**ORDER (ORAL)**

1. Petitioner/defendant has assailed order dated 11.11.2025 of the learned trial court, whereby the amendment application of respondent/plaintiff was allowed.
2. At the outset, learned counsel for petitioner/defendant contends that his challenge to the impugned order is confined to the denial of the opportunity to file Written Statement to the amended plaint.

*CM(M) 2289/2025**Page 1 of 2 pages*

Signature Not Verified

Digitally Signed
By: NEETU N NAIR
Signing Date: 27.11.2025
18:22:21

GIRISH
KATHPALIA

Digitally signed by GIRISH KATHPALIA
DN: cn=GIRISH KATHPALIA, o=HIGH
COURT OF DELHI, ou=HIGH
COURT OF DELHI, email=gkathpalia@highcourtindia.org, serial=11888, cn=GIRISH KATHPALIA
Date: 2025.11.27 17:57:18 +05'30'



2025:DHC:10518



3. Learned counsel for respondent/plaintiff appearing on advance intimation accepts notice and in all fairness does not object to the opportunity to be granted to the petitioner/defendant to file Written Statement to the amended plaint, of course without inserting any new facts.

4. Further, learned counsel for petitioner/defendant submits that the trial court be also directed to frame additional issue after the Written Statement to the amended plaint is filed. But that would be completely within the domain of the learned trial court after hearing both sides. So, no such direction can be issued in the present petition.

5. Accordingly, with consent of both sides, the impugned order is modified to the extent that the petitioner/defendant is granted an opportunity to file Written Statement to the amended plaint within two weeks from today. However, it is made clear that in case the Written Statement to the amended plaint is not filed within two weeks from today, no further indulgence shall be extended.

6. In view of the aforesaid, the petition and the accompanying applications stand disposed of.

GIRISH
KATHPALIA

Digitally signed by GIRISH KATHPALIA
DN: c=IN, o=HIGH COURT OF DELHI,
2.5.4.20=8401dd889b27a77b2f65f9fe4af
ec45569a93962c9f8a4835a43f97626cac
ca, ou=HIGH COURT OF DELHI, CN=
7047638, postalCode=110003, st=Delhi,
serialNumber=d3e86796451ec45c07b5d
15570996b40f80cbd2eee60402c487965f
f801e26fa, cn=GIRISH KATHPALIA
Date: 2025.11.27 17:31:43 +08'00'

GIRISH KATHPALIA
(JUDGE)

NOVEMBER 27, 2025/ry

CM(M) 2289/2025

Page 2 of 2 pages

Signature Not Verified

Digitally Signed
By: NEETU N NAIR
Signing Date: 27.11.2025
18:22:21