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

+ CS(COMM) 63/2023

SAMRIDHI ENTERPRISES

..... Plaintiff

Through: Mr. Kapil Gulati, Adv.
(through VC)

versus

FLIPKART INTERNET PRIVATE LIMITED & ORS.

..... Defendant

Through: Mr. Digvijay Singh, Adv.
for D-3 (through VC)
Mr. Namit Saxena,
Mr. Awnish Maithani and
Mr. Shivam Raghuwanshi,
Advocates for D-6
(through VC) (8527189238)
Md. Shariq and Mr. Rishi
Vohra, Advocates for D-9

**CORAM:
SIDHARTH MATHUR (DHJS), JOINT REGISTRAR
(JUDICIAL)**

**ORDER
18.10.2023**

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The written statement(s) of defendant nos. 6 & 9 shall form part of the record w.e.f today.

The plaintiff had already filed the replication(s) regarding the written statement(s) of defendant nos. 1 to 3, 6 & 9. Their copies be supplied to the respective-opposing counsels digitally, via email/whatsapp within a week.

The pleadings *qua* defendant nos. 1 to 3, 6 & 9 are thus complete.

The counsel for defendant no. 1, at this stage, states that the replication to his written statement was filed beyond 45 days and thus must be struck off from the record. He



seeks time to move an appropriate application in respect thereof. His application shall be appropriately dealt with, as and when filed.

The defendant nos. 4 & 5 are still unserved. The plaintiff shall now take fresh steps for their service, through all permissible modes, returnable for **11.01.2024**.

The plaintiff shall further provide the fresh/complete addresses of defendant nos. 7 & 8, whereafter their summons shall be issued through all permissible modes, subject to filing of PF.

I.A.No. 2941/23 (under Order XXXIX Rule 1 & 2 CPC)

The plaintiff shall have one more opportunity to file the rejoinder(s) to the reply(s) of defendant nos. 1, 6 & 9 in due course.

The defendant nos. 2 & 3 shall likewise have one more opportunity to file their reply(s), whereafter the rejoinder(s) be filed.

I.A.No. 15404/23 (on behalf of defendant no. 9 u/o VIII Rule 1 CPC seeking condonation of delay in filing the written statement)

The application is allowed, as the plaintiff has no objection.

The delay caused in the written statement of defendant no. 9 is condoned.

I.A.No. 17854/23 (u/o VIII Rule 1 CPC seeking condonation of delay of 89 days in filing of the written statement alongwith supporting affidavit)

The application is allowed, as the plaintiff has no objection.

The delay caused in the written statement of defendant no. 6 is condoned.



I.A.No.17855/23 (under section 151 CPC seeking exemption from filing certified/dim copies of annexure with written statement)

The application is allowed, as the plaintiff has no objection.

**SIDHARTH MATHUR (DHJS)
JOINT REGISTRAR (JUDICIAL)**

OCTOBER 18, 2023/PU

[Click here to check corrigendum, if any](#)