

UPLOADED ON 17.08.2026

IN THE COURT OF PRINCIPAL COMMERCIAL COURT,
EGMORE, CHENNAI

Present: Thiru. S.GANAPATHISAMY, B.A.B.L.,
Principal Judge

Dated this 17th day of August 2026, Monday

I.A.No.4 / 2026 in I.A.No.3 of 2025 in C.O.S. No.214 / 2024

A2Z Infra Services Limited,
Represented by Authorized Representative,
Office at O-116. First floor,
DLF Shopping Mall,
Arujun Marg,
Gurgaon - 122 002.

..Petitioner/ Petitioner/Defendant

-Versus-

Arihant Agencies,
Rep. by. Jayesh R.Shah,
New No. 13, Old No.6,
Vadamalai Street,
Pursawalkam, Chennai - 600 007.

...Respondent/Respondent/Plaintiff

This Petition coming on this day for final hearing on 10.08.2026 before me in the presence of M/s. Lilly Francis and M.Chandru, learned counsels for petitioner/defendant; M/s. Shah and Shah, learned counsel for the

respondent/plaintiff and upon hearing the arguments of both sides and having stood over for consideration till this day, this court today delivers the following:

ORDER

1. The Petitioner/Defendant has come forward with this application under Section 151 of Code of Civil Procedure to extend the time for compliance of order dated 29.06.2026 inter alia alleging that as order passed in I.A No.3 of 2025 was not reflected in e-court services, the petitioner was not aware of the conditions imposed by this Court and it could not comply with order within stipulated time. The Petitioner has further stated as the petitioner company is located in Delhi, it is not able to file affidavit and filed through counsel on record.

2. The Respondent /Plaintiff has resisted this application with the following averments:-

The petitioner has engaged a counsel to conduct the case. It cannot absolve itself of responsibility of independently monitoring and keeping track of proceedings. The stand taken by the petitioner in application to set aside the ex parte decree has been taken even in this application. This Court gave an opportunity to the defendant to contest the suit. The petitioner is not an individual with little knowledge of legal proceedings, but a company having several employees assisted by Advocates in Delhi. Petitioner cannot take advantage of his own lack of diligence. In earlier application, the petitioner attributed delay and lapse to its counsel, now upon this Court stating that order

is not reflected in e-court services. IA order is available in e-courts portal. The petitioner has filed this application only to protract the proceedings and this Court has given opportunity to the petitioner by exercising its discretion and it has not utilized it. A litigant who is negligent cannot seek indulgence of Court.

3. The point for consideration in this application is whether time can be extended for compliance of order dated 29.06.2026?

Both side heard.

4. The petitioner has filed I.A No.3 of 2025 to set aside the ex parte decree. This Court has allowed the application on 29.06.2026 subject to payment of cost of Rs.5,000/- to the respondent and Rs.5,000/- to District Mediation Centre, Chennai on or before 20.07.2026. The matter was taken up on 21.07.2026. Instead of complying the order, the counsel for petitioner has filed this application to extend time.

5. The learned counsel for the respondent has seriously objected to extend time stating that the petitioner has not utilized sufficient opportunities given by the Court and simply attempted to escape from the liability shifting burden and allegation on the Court. This Court has already ordered to allow the above application in I.A No.3 of 2025. The right of defendant to file written statement was already forfeited. Therefore, this Court deems fits to give an opportunity to the defendant atleast to cross examine the witness based on plaint averments.

In the result, the petition is allowed. Time is extended till 27.08.2026 at 5.30 p.m. for compliance of order dated 29.06.2026. The petition is allowed to the above extent.

Dictated by me to the Steno-Typist, Transcribed and typed by him in the computer, corrected and pronounced by me in the open court, this 17th day of August 2026.

GANAPATHI
SAMY

Digitally signed by
GANAPATHI SAMY
Date: 2026.08.17
17:24:55 +0530

Principal Judge
Principal Commercial Court
Egmore, Chennai

Draft / Fair Order
in

I.A.No.4 of 2026

in

I.A No. 3 of 2025

in

C.O.S.No.214 / 2024

Date: 17.08.2026

Principal Commercial Court,
Egmore, Chennai.