

C.S. No. 28/16

06.03.2018

Present: Counsel for the plaintiff alongwith plaintiff.

Counsel for defendants alongwith defendant no. 1.

Arguments heard on the application for condonation of delay.

Counsel for plaintiff submits that even after the direction given on 8.11.17 to file the Written statement within 4 weeks, there has been delay of almost approximately a month in filing the Written statement without any proper explanation. It is further submitted that defendants were served in this case in January, 2017 itself and they moved even an application on 10.3.2017 seeking extension of time for filing the Written statement but did not file any Written statement and it is in this background that order after considering the contentions of defendant and background of this case, on 8.11.17 vide detailed order 4 weeks time was granted for filing the Written statement which too was not complied with. Taking into consideration the facts and circumstances of this case, the application for condonation of delay is allowed subject to cost of Rs. 2000/- to be paid to the plaintiff.

Counsel for the defendant undertakes to pay the cost on the next date of hearing.

To come up for payment of cost, filing of replication if any, documents, admission denial of documents and settlement of issues on 16.04.2018.

rs

(Vipin Kumar Rai)

ADJ-03(E):KKD:DELHI/06.03.2018