

CS 23/23

PIYUSH KUMAR SINGH Vs. LOUKESH GAUR AND ORS.

06.07.2023

Pr.: Sh. F.Khan, Ld. Counsel for the plaintiff.

Sh. Ghanshyam Yadav and Ms. Sonika, Ld. Counsel for the defendant no.1.

Ld. Counsel for defendant no.1 submits that he has not been served nor has he received copy of the plaint and documents. He seeks time to file written statement.

Even if defendant no.1 is considered to have been served on 26.05.2023 when Proxy counsel for the defendant no.1 appeared in the Court, written statement should have been filed within stipulated period of 30 days. No written statement has been filed till date. Even on the last date of hearing, Proxy counsel for defendant no.1 did not state that copy of the plaint and documents has not been supplied not did she ask for the same. Therefore, it cannot be presumed that copy of plaint and accompanying documents has not been supplied. However, in the interest of justice, the plaintiff is directed to supply copy of the plaint and accompanying documents to the defendant within 7 days from today and thereafter written statement be filed on or before the NDOH subject to cost of Rs.2,000/- to be paid to the other side.

Put up for filing of written statement and payment of cost on **17.08.2023**.

(Shail Jain)
Principal District & Sessions Judge,
East District, KKD Courts, Delhi.
06.07.2023