

**CS NO. 666/18
ADITI GUPTA
VS.
RAJEEV JAIN**

25.01.2021

Present : Sh. M L Sharma, Ld. Counsel for the plaintiff with
Deena Nath, Employee.

Sh. Akshat Aggarwal, Proxy for Sh. Mohit
Aggarwal, Ld. Counsel for the defendant.

Heard arguments in opposition to the application under Order 9 Rule 7 CPC, by Sh. Sharma who submits that the defendant was proceeded with ex-parte vide order dated 30.01.2019 but the application has been moved only on 01.07.2019 and no cogent reason has been stated therein for condonation of delay of more than six months. He further submits that the defendant has deliberately avoided to state as to how and under what circumstances when he visited the court and enquired from the court staff regarding ex-parte proceedings and as such, the application is highly time barred. Moreover, the defendant has chosen to file Written Statement which cannot be taken on record till the ex-parte order is set aside.

Time is sought by the defendant on the ground that the father of the main counsel is suffering of brain-haemrage and he is busy in looking after him.

Put up on 31.03.2021 for remaining arguments, if any, by the defendant. No further opportunity shall be allowed.

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Even written arguments may be filed with copy to Sh. Sharma against receipt and necessary order shall be passed on that day on the application.

Sanatan Prasad
Additional District Judge-01
(East)/KKD/Delhi/25.01.2021