

CS 563/25
SUMAN AND ANR
Vs.
DEEPAK KUMAR AND ORS

20.01.2026

Present : Sh. J.K. Sinha, Ld. LSA for plaintiffs along-with
plaintiff no. 1.
Sh. D.K. Malhotra, Ld. LAC for defendant no. 1 and
2 along-with defendant no. 1.

As per report of process server, defendant no. 1 to 3
served on 27.09.2025.

Despite service, there is no representation on behalf
of defendant no. 3. Even, written statement not filed on behalf of
defendant no. 3. Stipulated period for filing written statement on
behalf of defendant no. 3 has also expired.

In view thereof, right of defendant no. 3 to file
written statement is hereby closed.

Written statement along-with application u/O VIII
Rule 1 seeking condonation of delay in filing written statement,
documents as per list of documents and DLSA authority letter
already filed on behalf of defendant no. 1 and 2 on 24.12.2025.
Copy already supplied.

Though, no reasonable ground seeking condonation of delay in
filing written statement has been mentioned in the application,
however, to decide *lis* on merits and in the interest of justice,
same is disposed of as allowed subject to a cost of Rs. 1,000/- on
each defendant to be paid to plaintiff on or before next date of
hearing.

Written statement along-with documents is taken on record.

Reply to application u/O XXXIX Rule 1 and 2 r/w Section 151 CPC not filed on behalf of defendant no. 1 and 2. Time sought to file reply. Let same be filed within four weeks from today with advanced copy to Ld. Counsel for plaintiff.

Replication be also filed within four weeks from today with advanced copy to Ld. Counsel for defendant no. 1 and 2.

Both the parties are directed to file affidavits of admission/denial of documents at-least two weeks prior to next date of hearing with advanced copy to each other.

Put up for arguments on aforesaid application and completion of pleadings/framing of issues on **02.06.2026**.

(Hem Singh)
District Judge-01
(East)/KKD/Delhi/20.01.2026