

CS no.801/17

Randhir Singh Rana VS Hawa Singh Rana

10.05.2018

Present: Ld. Counsel for plaintiff.

Ld. Counsel for defendant.

It is submitted by Ld counsel for plaintiff that copy of counter claim is not supplied to him. However, WS was filed on 18.09.2017. It was not pointed by Ld counsel for plaintiff that counter claim was not supplied to him on 16.11.2017. Today when it is listed for filing replication, it is submitted that counter claim is not supplied to him. However, no ground for supplying copies again is made out and request is declined.

Arguments heard on the application for condonation of delay in filing WS. It is mentioned that he could not file the same on record on time as he was coming from Sonapat. Moreover defendant is 73 year old person and fell ill due to old age, hence he could not contact the counsel, hence there is delay. Heard. No reply to condonation of delay application is filed till date by Ld counsel for plaintiff.

Arguments heard.

In view of the fact that defendant is 73 year old aged person, ground taken of old age and illness appears to be a plausible ground. In the circumstances, condonation of delay is allowed.

Replication be filed within 30 days with advance copy to the opposite party within same duration.

Both the parties to appear along with affidavit of admission/denial of documents on the next date of hearing.

It is submitted by Ld counsel for plaintiff that a status quo regarding the possession of the impugned property may be ordered. Same is not objected by Ld counsel for defendant in the Court today.

With consent of both the parties, status quo is directed to maintain qua the impugned properties.

Put up for arguments on **27.09.2018**.

(Twinkle Wadhwa)
ADJ-03/PHC/NEW DELHI.
10.05.2018