

CS No. 20/23
Momin Saifi Vs. Shane Alam

07.01.2025

Present : Sh. Ikrar Siddique, Ld. Counsel for plaintiff through VC.
Sh. Sanjeevan Kr. Singh, Ld. Counsel for defendant.

Submissions on behalf of both parties on the application filed by defendant U/o VIII Rule 1 heard. It is stated in the application that defendant had met an accident therefore because of the consequential bed rest he was unable to file written statement in time. It is requested that small delay in filing the written statement be condoned off accordingly.

On the other hand, it is submitted by the Ld. Counsel for plaintiff in the reply that the present application has been moved belatedly and that there is no ground for allowing the present application being baseless. Though, during, the course of oral arguments Ld. Counsel for plaintiff has submitted that the present application be allowed only subject to the cost. Accordingly, submissions of both parties heard. Case file perused carefully.

Undoubtedly, endeavour of Court should be to ensure that all relevant and best materials are allowed to be brought on record, which could effectively, conclusively and finally adjudicate the dispute between the parties. In the interest of justice and for purpose of the advancement of ends of the justice the present application of the defendant is allowed subject to the cost of Rs. 4000/- to be paid to the plaintiff on the very next date itself. No further opportunity on any ground whatsoever be granted.

Now to come up for completion of pleadings/filing of affidavit of admission-denial/proposes issues/framing of issues on 05.04.2025.

(Manu Vedwan)
District Judge-02/North-East,
KKD Courts, Delhi/07.01.2025