

03.01.2024

Present : Sh. Virender Singh, Id counsel for the plaintiff with plaintiff.

Sh. Gagan Wadhwa, Id counsel for both the defendants with defendant no. 1 in person.

Defendant present in the court stated that he is not in a capacity to pay the cost imposed by the court vide order dated 10.11.2023 and is ready to give only Rs. 5000/-. The plaintiff is not ready to waive the cost. Considering the facts where opportunity was granted to the defendant to ensure the presence of his counsel to argue the application under Order 8 Rule 1 CPC and the cost is not being paid under the provisions of Section 35 B the right of the defendant to argue the application stands closed. The right of the defendant to file the written statement has already been closed due to non filing of the written statement by him within prescribed period.

Put up for PE on **19.03.2024**.

(SUNIL CHAUDHARY)
ADJ-04, North West,
Rohini Courts, Delhi
03.01.2024