

CS DJ61/23

SMT. BINDU YADAV & ANR. Vs. SHRI VINOD YADAV &
ORS.

16.08.2023

Present : Sh. Arbind Bhatta and Ms. Swastica Singh,
Ld. Counsel for plaintiffs.
Sh. Yash Pal Singh, Ld. Counsel for defendants.

WS along with documents and application under Order VIII Rule 1 CPC was filed on behalf of defendants on 14.08.2023. Copy already supplied.

WS was apparently filed after 114 days from the date of expiry of statutory period of limitation.

Arguments on application under Order VIII Rule 1 CPC seeking condonation of delay in filing WS heard.

It is submitted by Ld. Counsel for plaintiffs that for proper adjudication of the case on merits, he has no objection if WS is taken on record.

Keeping in view the totality of circumstances and no objection raised on behalf of plaintiffs, delay in filing Written Statement on behalf of defendants is condoned subject to cost of Rs.5,000/- payable to plaintiffs and application under Order VIII Rule 1 CPC is hereby allowed.

This court deems it expedient to examine both the parties under Order X CPC.

As such, both the parties are directed to remain present **on 04.09.2023** for recording of their statements under Order X CPC.

(Akash Jain)
ADJ-01 (South East) Saket Court
New Delhi/16.08.2023 (vg)