

CS no. 111/2018

Samta Austin V/s. Vishwakant Singh and anr.

10/09/2018

Pr.:- Sh. Mohit Bansal, counsel for plaintiff.
Ms. Shabnam Faruqi, counsel for defendants.

An application under Order VIII Rule 1 CPC for condonation of delay of about 8 days in filing of WS filed by defendant in the meantime. Copy of same supplied today to Ld. Counsel for plaintiff.

Submissions heard. Record perused.

Ld. Counsel for defendants submits that there is delay of 8 days in filing WS.

It is submitted by the plaintiff that without admitting veracity of the defendant's claim, plaintiff has no objection in case the present application is allowed subject however to heavy cost.

Even otherwise, it is well settled that rules of procedure are hand maids of justice. It would be appropriate if the matter be disposed off on merits rather on technicalities.

In the facts of the case, the delay of about 8 days in filing of the WS is condoned. WS is taken on record.

Put up for replication, if any, DAD, framing of issues & consideration of pending application for 18/10/2018.

Parties to appear in person.

(VINEET KUMAR)
Addl. District Judge-01(Shahdara),
Karkardooma, Delhi. 10/09/2018.