

2 CS NO. 1044/16

HARISH CHANDER KURAL Vs. JAGDISH AND ANR.

10.05.2022

**Present : Plaintiff in person with counsel Sh. M.N.Kural.
Sh. Vireshwar Tyagi, counsel for defendant no.1.
Defendant no.2 is already exparte.**

Perusal of record shows that exparte order qua defendant no.1 was set aside by Ld. Predecessor on 14.05.2019 subject to costs. Cost of Rs. 7,000/- in cash handed over to the plaintiff today.

However, the defendant no.1 has chosen not to file written statement till date. Application dated 26.10.2015 filed under Section 148 CPC seeking enlargement of time is not accompanied by any proposed written statement and the application deserves dismissal on this count alone.

Part arguments heard on application under Order 8 Rule 1 r/w Section 151 CPC dated 22.05.2017 filed by the plaintiff on pronouncing judgment.

On request of defendant no.1's counsel who seeks an adjournment for exploring possibility of settlement between parties, list the application for further arguments on **24.05.2022**.

**(Ravinder Bedi)
Add District Judge-02/Shahdara
KKD Courts, Delhi: 10.05.2022**