

CS no. 860/2016

06/03/2017

Pr.: - Plaintiff with counsel Sh. Shiv Kumar.
Sh. Aakash Verma, counsel for defendant no.1 and 2 with defendant no. 1.
D-3 in person.

Ld. counsel for defendant no. 1 & 2 filed their written statement alongwith documents and an application under Order VIII Rule 1 CPC seeking condonation of delay in filing written statement. Copy supplied.

Heard on aforesaid application. Case file perused.

During course of submissions, Ld. counsel for plaintiff stated that plaintiff does not wish to file reply to the aforesaid application and he has no objection if the application is disposed off as allowed subject to cost.

Admittedly defendant no. 1 and 2 have not filed written statement within prescribed period of time, so on previous date, one month time was granted on previous date subject of cost of Rs.3,000/-. Defendant failed to file the written statement within time fixed so considering the facts and circumstances of the case and in view of submissions made by Ld. Counsel for plaintiff, the aforesaid application of defendant no. 1 & 2 is disposed off as allowed subject to payment of additional cost of Rs.2,000/- payable to plaintiff.

At this stage, Ld. Counsel for D-1 & D-2 paid a cost of Rs.3,000/- to the plaintiff and sought time to pay the further cost of Rs.2,000/-.

Written statement of D-1 & D-2 is taken on record.

Be put up for replication, if any and arguments on application under Order XXXIX Rule 1 & 2 CPC on 17/05/2017.

(RAVINDER SINGH)
Addl. District Judge (Shahdara),
Karkardooma, Delhi. 06/03/2017.