

16.05.2023

Present : Mr. Wahid Ali Khan, Ld. Counsel for plaintiff along with plaintiff in person.
Mr. Gagan Singhal, Ld. Counsel for defendant along with defendant in person.

Report over summons received back which shows that defendant has been served on 12.01.2023.

Today written statement along with annexures running upto 109 pages sought to be placed on record by Ld. Counsel for defendant.

An application under Order 8 rule 1 CPC seeking condonation of delay in filing WS is also filed. Copy supplied. Ld. Counsel Mr. Khan appearing for plaintiff has straightway argued on the application without filing any reply thereto. Considering the reasons explained at Bar as also in view of the ratio in the Judgments of *M/s. Scg Contracts India Pvt. Ltd. v. KS Chamankar Infrastructure Pvt. Ltd. and Ors* (decided on 12.02.2019) passed by Hon'be Apex Court, the application U/o 8 rule 1 CPC stands **allowed**. The delay in filing the written statement stands condoned however subject to costs of Rs.2,000/- to be paid by defendant to plaintiff **within two weeks**.

Costs paid to plaintiff. Written statement is taken on record.

Another application under Order 7 rule 11 read with Section CPC is also filed by plaintiff. Copy supplied. Reply to same be filed within six weeks on record with advance copy to other side to facilitate arguments on next date.

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Be put up for arguments on application under Order 7 rule 11 CPC, on 21.08.2023.

Shortest possible date is given considering the pendency as well as regular cause list. There is pendency of more than 1500 cases which includes about 400 more than five year old cases in this court.

(Ravinder Bedi)
Add District Judge-02/Shahdara
KKD Courts, Delhi: 16.05.2023