

14.05.2025

Present: Plaintiff with proxy counsel Sh. Gaurav Tyagi.
Sh. Prabhu Dayal, counsel for defendant no.1.
Sh. Gautam Arun Kumar, counsel for defendant no.2 & 4.
Sh. Bhajan Singh and Shyamasha, counsel for defendant no.3.
Fresh vakalatnama filed on behalf of defendant no.1.

On the last date of hearing, an application was filed by defendant no.3 for setting aside the ex-parte order dated 29.10.2024 on account of medical emergency. Medical record of the same date has been attached alongwith the application. The defendant no.3 also filed the written statement alongwith condonation application with the application under Order IX Rule 7 CPC.

It is observed that the application alongwith written statement was filed on 03.12.2024. The defendant no.3 was served with the summons alongwith documents on 20.08.2024. Hence, there is delay of more than 70 days in filing the written statement.

However, keeping in view the facts and circumstances and in the interest of justice, application stands allowed subject to payment of cost of Rs.3,000/- to be paid to plaintiff. **Written statement shall be taken on record subject to payment of cost.**

It is observed that suit property seems to be belonging to DUSIB. Let notice be issued to DUSIB to file the report on NDOH.

Plaintiff has sought time to move appropriate application.

Put up for further proceedings on 11.08.2025.

(Purva Sareen)
District Judge-01, South
Saket Court, New Delhi
14.05.2025