

CIV DJ 187/2024
Bhupinder Singh
Vs. Gurmeet Kaur

04.09.2024

Present: Sh. Akshay Mahajan & Sh. Nitin Singh, Ld.
 Counsels for plaintiff.
 Sh. Mukul Rawal, Ld. Counsel for defendant
 (through VC).

After LDOH, written statement, application u/o VIII Rule 1 r/w Sec. 151 CPC, copies of documents and Vakalatnama, were filed on behalf of defendant through e-filing and hard copies of the same were also furnished. Copies of the same already stated to have been supplied to opposite side.

Submissions heard on application u/o VIII Rule 1 CPC. Record perused.

Delay in filing the written statement is sought to be condoned mainly on the grounds that complete set of documents was supplied to Ld. Counsel for defendant through Whatsapp on 08.06.2024 and that thereafter, the defendant remained occupied due to birth of her grandson and serious illness of her husband.

Ld. Counsel for plaintiff has strongly objected to the plea taken by defendant.

Perusal of the record shows that the written statement was filed after delay of 54 days from prescribed period of 30 days. The explanation given for delay is not plausible for the entire period, however, considering the facts that the parties to the present suit are related to each other, that efforts should be

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made to decide the matter on merits and that the plaintiff can be adequately compensated for the delay, the present application is being allowed. The written statement filed on behalf of the defendant be taken on record subject to cost of Rs. 5,000/-, to be paid to the plaintiff.

At request, put up for arguments on interim injunction application on **04.12.2024**.

(GOPAL SINGH CHAUHAN)
DJ-03, WEST/DELHI
04.09.2024