

24.09.2025

Present: Sh. R.B. Sharma, Ld counsel for the plaintiff.  
Sh. Devanad, Ld counsel for the defendant.

Evidence by way of affidavit of Plaintiff has been filed.

An application for setting aside ex parte order dated 21.07.2025 has been filed by the Ld counsel for the plaintiff.

On the previous date, Ld counsel for the defendant has also filed written statement along with condonation application. Copy of the same be supplied to Ld counsel for the plaintiff today itself.

It is settled law that the defendant can join the proceedings in the case, in any stage. The defendant was proceeded ex parte on 21.07.2025. After pronouncing the ex parte order, Ld counsel for the defendant appeared in the court at 1.05 PM on the same day.

In view of the abovesaid fact, the order dated 21.07.2025 to the extent of proceeding ex parte against the defendant stands **recalled**. *Accordingly, the application stands disposed off.*

However, the written statement of the defendant is not taken on record. The right of defendant to file written statement will be decided in his application filed for condonation of delay in filing the written statement.

Ld counsel for the plaintiff seeks some time to file reply of condonation application. He is allowed to file the same before NDOH with advance copy to Ld counsel for the defendant.

Put up for consideration of said application on **22.12.2025**.

(SHIV KUMAR)  
DJ-02 (W)THC:Delhi  
24.09.2025