

Civ DJ No. 115/19

Rajesh Kumar vs. M/s RCI Logistics Pvt Ltd. & ors.

24.10.2019

Present: LRs of plaintiff with counsel Sh. Rajnikant.

Sh. Shakti Singh Panwar, counsel for defendants.

Written statement with copy of certain documents, vakalatnama on behalf of defendant no.4 and application under Order VIII Rule 1 CPC filed. Copy supplied.

Counsel for plaintiff submits that since written statement has been filed beyond the stipulated period, defendant be burdened with cost.

Counsel for defendants submits that he was supplied legible copies of some document by counsel for plaintiff on 19.07.2019 and other fact is that he partitioned his chamber with his uncle as a result of which some of the files are not traceable.

Learned counsel submits that partition took place in July. Even thereafter, two months have expired. The fact remains that there is delay in filing written statement even from the date of supply of legible copies of documents. Application is allowed in the interest of justice, subject to cost of Rs.6,000/-.

Counsel for defendants submits that cost shall paid to the plaintiff on the next date.

Plaintiff may file replication in the meanwhile while supplying copy thereof to counsel for defendants.

To come up on **18.02.2020**.

(Narinder Kumar)
ADJ-04, (West), Delhi.