

19.03.2021

Present: Sh. Lajpat Rai, counsel for plaintiff.
Sh. Rakesh Tanwar, counsel for defendant.

An application of the defendant under order 8 rule 1 read with section 151 CPC for condonation of delay and filing of written statement is pending.

Ld. Counsel for defendant submitted that his application under order 7 rule 11 CPC was pending which was ultimately disposed off on 06.03.2020 and on the same day, the defendant was asked to file written statement within seven days alongwith appropriate application seeking condonation of delay. He further submitted that he filed the present application and written statement on 12.03.2020 i.e. within the time given by that order. He further submitted that there is no delay in filing the written statement after that order. Ld. Counsel for plaintiff submitted that he has no objection in allowing the application if the same is allowed subject to payment of some cost.

Without commenting on the merit of the application and in view of no objection, the application of the defendant under order 8 rule 1 CPC is allowed subject to costs of Rs. 2,000/- payable to the plaintiff. Costs shall be paid on the next date of hearing.

Put up on 22.05.2021 for filing of replication, if any, A/D of documents and framing of issues.

(Umed Singh Grewal)
ADJ-02, WEST
19.03.2021