

ORDER ON APPLICATION FILED UNDER ORDER VIII
RULE 1 AND 2 SECTION 151 OF CPC

The defendant has filed the present application to condone the delay in filing the written statement and to take the written statement on record. Further he submits that since the defendant was trying to collect some documents regarding the suit property, could not file the written statement in time. Further, he prays that if the said application is not allowed, the defendant will be put to irreparable loss and injury and thereby prays to allow the application.

Defendant orally objects and prays to dismiss the same.

After perusal of the materials available on record, the notice was duly served on 17.03.2023 to the defendant herein. Further, the written statement was taken as not filed on 09.07.2023. The reason given by the defendant in condoning the delay in filing the written statement is found satisfactory. In order to arrive at justice in the above case, the contention of the defendant is very much necessary. Hence, the pleading of the defendant through written statement plays a vital role. Hence in order to avoid multiplicity of the proceedings and to arrive at just decision in the above case this Court proceeds to pass the following:

ORDER

The application filed under Order VIII
Rule 1 and Rule 2 of CPC is hereby **allowed**.

The delay in filing the written statement
is hereby condoned.

The written statement filed by the defendant is taken on record.

For hearing on IA No.2 R/by
08.07.2026.

Civil Judge & J.M.F.C.,
Sullia, D.K. 18.06.2026