

CS DJ ADJ 1051/25

Kuldeep Rana alias Kuldeep Singh Vs. Hindustan Petroleum Corporation Ltd
22.07.2026

Present: Ld Counsel for plaintiff (VC).
Sh. Anant Vijay Singh, Ld. Counsel for defendant.

Today the matter is fixed for further proceedings.

WS along with list of documents filed on the behalf of defendant.
Extra copy is retained on record to be supplied to plaintiff. Plaintiff is directed to collect the same from court.

Ld. Counsel for plaintiff submits that to avoid controversy he has served the copy of plaint on defendant on 20.04.2026 through whatsapp however, WS has been filed yesterday only. As the limitation for filing WS is 30 days, there is a delay of more than 60 days however, no application for seeking condonation of delay has been moved.

Counsel for defendant submits that as WS could only be filed once the approval from the concerned department was obtained which is a time consuming process, WS could not be filed within the statutory period of 30 days.

It is a settled position of law that an application u/s 5 of Limitation Act or an application under Order VIII Rule 1 CPC is not mandatory for seeking condonation of delay. Court is empowered to condone the delay even at the oral submission of counsel for defendant provided that the court is satisfied with the explanation for delay.

In the circumstances, this court considers it fit to condone the delay in filing of WS subject however to payment of cost of Rs.10,000/- to be deposited in DLSA, South West, Dwarka Courts before next date of hearing.

Replication be filed within four weeks along with affidavit of admission/denial of documents and proposed issues, if any, with advance copy to the opposite party.

List for further proceedings on **03.11.2026**.

(Abhitosh Pratap Singh Rathore)
DJ-05 (SW)/Dwarka Courts
New Delhi: 22.07.2026