

Order

I.A. 3 is filed by Defendants
no. 9 to 11, 15 and 16 seeking condon-
-ation of delay in filing of written
Statement

In the Memo of facts, it is
stated that the written statement
could not be filed for want of
certain documents and prays to
allow the I.A.

Counsel for the Plaintiff objects
that proper reasons are not
assigned for condoning delay
and prays to dismiss the
I.A.

Heard from the counsel for
the Plaintiff and defendants

Following point arises for my
determination.

"Whether there are sufficient
grounds made out to
condone the delay in
filing of written statement?"

My answer to above point
is in 'affirmative', for the following

Reasons

The objections tendered by
the Plaintiff are very formal in
nature, where it is objected
that affidavit is not filed,
which is not required for an
application filed seeking
condonation of delay for
filing of written statement.

Reason assigned in for want of certain documents, which is not properly explained. However, no documents are produced along with written statement. But only on this basis, written statement cannot be rejected. When the defendants submit that they have valid defence to make, an opportunity must be provided to the defendants and in the interest of Justice. Accordingly, holding that there are sufficient grounds made out to condone the delay in filing of written statement, the point is allowed in "affirmative".

In view of above reasons the following

Order

I.A. No. 3 filed by the defendants
no. 9 to 11, 15 and 16 are herewith
allowed.

Delay in ^{siding} ~~production~~ of the
written statement is condoned.

for issues called on 1/02/25


27/01/25