

6 CS SCJ 1099/22

NITIN GUPTA Vs. JABBAR HUSSAIN

01.02.2024

Present: Sh. Aadish Jain, Id. Proxy counsel for plaintiff.
Sh. Rajvir Singh, Id. Counsel for defendant
appearing through VC.
Defendant in person.
**(This is a summary suit converted into an
ordinary suit vide order dated 04.09.2023).**

Written statement alongwith application under Section 5 of Limitation Act, seeking condonation of delay in filing written statement and affidavit of admission / denial of documents, was filed on behalf of defendant on 10.01.2024 and 29.01.2024 respectively.

Perusal of record shows that the summons were served upon the defendant on 05.10.2023. However, Id. Counsel for defendant submits that the copy of the complaint alongwith documents were supplied to him on 09.12.2023 and therefore, there is a delay of only one day in filing the written statement.

Ld. Proxy counsel for plaintiff is unable to apprise the court as to when the copy of plaint was supplied to the defendant.

At request, put up for completion of pleadings, consideration on application under Section 5 of Limitation Act, on **02.03.2024**.

(Ruby Neeraj Kumar)
SCJ-cum-RC
South District, Saket Courts
01.02.2024 (H)