

30-10-2024

P - SHM

01, 11, 12, 15 to 17 } SKN  
 26, 29 to 34 } ~~SKN~~  
 37 to 42 }

04, 5(a), (b) }  
 6, 8, 9, 22 } - OBS

02, 3, 10, 13, 14 }  
 18 to 20, 23 to 25 } Absent  
 27, 28, 36, 43, 44, 46 }

DS, HS - Dead

D21, 7, 35, HS(a), (b) - Excluded

For order on SA XI7<sup>th</sup> dy?Order

I.A. No. : 11

filed by : Dy. no. 4 to 9

Provision of law : U/s 148 of CrP

filed on : 19/10/24

Objection :- 24/10/24

Order : 30/10/24

Order on SA-11

Application is filed by the defendant no. 4 to 9 seeking condonation of delay in filing of written statement.

6<sup>th</sup> defendant deposes that they could not contact their counsel to give instructions for filing of written statement. Thus

prays to London delay

Counsel for Plaintiff object &  
<sup>submit</sup> that there is no delay  
 in filing of written statement  
 and prays to reject the S.F.

Hear from the Counsel  
 for the Plaintiff and defendant

Following point arise for my  
 determination.

"Whether there are sufficient  
 grounds made out to  
 London the delay and  
 receive the written statement?"

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

### Reasons

There is inordinate delay of about 3 years in filing of the written statement. Reason is assigned that the defendants could not contact their counsel in time. Thus, only on the delay if the written statement is rejected, the defendants will be put to hardship and inconvenience.

But delay causes hardship to the plaintiff. Thus the defendants no 4, 6, 8 & 9 are saddled with cost of Rs. 2000/- to be paid to the Plaintiff. Like above note, holding that there are grounds made out to condone the delay, above point is answered in 'affirmative'.

In view of above reasoning,  
following  
order

IA-11 filed by defendants  
no 4, 6, 8 and 9 <sup>is</sup> ~~are~~ herewith allowed.  
with cost of Rs. 2000/-

W/S would be considered  
on payment of cost.

for cost call on 6/11/21

✓  
30/10/21