

20.05.2023

Present : Sh. A. S. Maan, ld counsel for the plaintiff.
Proxy counsel for defendant.

Counsel for the plaintiff stated that he is ready to make submissions on the application of the defendant straight away without any formal written reply.

Proxy counsel appearing for the defendant stated that counsel is not able to attend the court as is busy in some personal work. The counsel for the plaintiff opposed the adjournment.

Considering the facts, matter is passed over for appearance of counsel and argument on the application.

At 01:00 PM

Present : Sh. A. S. Maan, ld counsel for the plaintiff.
None for defendant.

No one is appearing for the defendant to argue the application seeking condonation of delay in filing the written statement. It is stated by the counsel for the plaintiff that the reason mentioned in the application due to which written statement could not be filed is that the written statement was prepared within the time but inadvertently it was misplaced and tied with some other file in the office of the counsel for the defendant. It is stated that the reason is contrary to the facts of the

case as the written statement filed with the application is verified and signed on 25.02.2023 and the affidavit filed in support of written statement is affirmed before Oath Commissioner on 25.02.2023. It is further submitted that if the prepared written statement was misplaced by the counsel for the defendant then a new print out could have been taken and the same could have been filed in the court within time.

Considering the facts and circumstances of the case, no sufficient reason is disclosed due to which the defendant was not able to file the written statement, the application stands dismissed.

Adjournment is prayed by the ld counsel for the plaintiff with the submissions that the plaintiff has not brought the original documents required for his evidence as he was under impression that application of defendant will be decided first.

As prayed put up on **12.09.2023** for PE.

(SUNIL CHAUDHARY)
ADJ-04, North West,
Rohini Courts, Delhi
20.05.2023