

05.08.2026

Present:- Sh. Manoj Gautam and Sh. Sushil Vashist, learned counsels for the plaintiff along with plaintiff in person.
Sh. Kunwar Karan, learned counsel for the defendant.

Arguments on the application filed under Order VIII Rule 1(A) CPC by the defendant for seeking condonation of delay in filing the written statement, have been advanced at length by both the learned counsels.

During the course of the arguments, learned counsel for the plaintiff submits that he has no objection if the said application is allowed subject to the heavy cost.

Considering the aforesaid facts and circumstances of the case, the application filed **under Order VIII Rule 1(A) CPC by the defendant for seeking condonation of delay of 30 days in filing the written statement stands allowed and the delay in filing the written statement stands condoned. The written statement filed on behalf of the defendants is taken on record, subject to the payment of cost of Rs. 10,000/-, to be paid to the plaintiff.** The application stands disposed of accordingly.

Replication as well as reply to the application filed under Order VII Rule 11 CPC has been filed on behalf of the plaintiff. Be taken on record. Copies supplied.

Learned counsel for the defendant submits that the defendant has no intention to create any third party interest in the suit property.

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Considering the aforesaid submissions and facts of the case, **both the parties are directed not to create any third party interest in the suit property during the pendency of the present suit.** Accordingly, the application filed under Order XXXIX Rule 1 & 2 CPC by the plaintiff stands disposed of.

At joint request, put up the matter for arguments on the application filed under Order VII Rule 11 CPC on 17.11.2026.

(Sunil Kumar Sharma)
District Judge-04 (West)
THC/Delhi/05.08.2026(ss)