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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 221/2024**
KESHAV GAUTAM @ AMAN GAUTAMPlaintiff
Through: Mr. Pramod Ahuja, Adv. (VC)
versus
MRS. DIVYA GAUTAMDefendant
Through: Mr. Davinder N. Grover & Mr.
Gursimran Singh Rekhi, Advs.

CORAM:
JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)

ORDER

% **29.11.2024**

IA No.34679/2024 under Order VIII Rule 1 CPC
moved by the defendant seeking condonation of delay
in filing Written Statement

Learned counsel for the plaintiff submits he does not wish to file any reply to the captioned IA.

Heard. No plausible explanation is furnished in the captioned IA for the delay caused in filing Written Statement by the defendant. However, in the interest of justice and subject to imposition of cost of Rs.5000/- is imposed upon the defendant, out of which Rs.3000/- to be paid to the plaintiff and Rs.2000/- to be deposited with Advocate's Welfare Fund, the captioned IA stands allowed to the extent that the delay, if any, in filing Written Statement by the defendant is condoned and the same is allowed to be taken on record. Accordingly, the captioned IA stands disposed of.

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At this stage, it is brought to my notice that Written Statement, Affidavit of Admission/Denial of the documents and documents stated to have been filed by the defendant are not on record. Learned counsel for the defendant is directed to take requisite steps as



per law to bring the same on record.

It is stated by learned counsel for the plaintiff that he has not received anything from the defendant. So, learned counsel for the defendant is directed to supply copy of Written Statement, Affidavit of Admission/Denial of the documents and documents to learned counsel for the plaintiff within one week against due acknowledgement. Thereafter, the plaintiff is directed to file Replication alongwith Affidavit of Admission/Denial of the documents within stipulated period as prescribed by law with copy to the opposite side.

Re-notify the matter for completion of pleadings on the next date of hearing.

I.A. 6059/2024 (under Order XXXIX Rule 1 & 2 CPC) moved by the plaintiff

Reply to the captioned IA has not been filed by the defendant till date. So, the right of the defendant to file reply is ordered to be closed.

Re-notify the captioned IA on the next date of hearing.

Counter Claim No...../2024 (filed by the defendant)

It is stated by learned counsel for the plaintiff submits that he has not received copy of the counter claim. So, learned counsel for the defendant is directed to supply copy of counter claim to learned counsel for the plaintiff within one week against due acknowledgement.

At this stage, it is found that there is an error in the title of the counter claim. Learned counsel for the defendant submits that he will file an appropriate



application for amendment in this regard. Let needful be done as stated with copy to the opposite side.

Re-notify the matter for further proceedings on 04.03.2025.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
NOVEMBER 29, 2024/ab
[Click here to check corrigendum, if any](#)