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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 237/2025 and IA Nos.6887/2025,
6888/2025,16992/2025, 17570/2025, 20437/2025, 20438/2025

SMT. SHUKLA KAILASH NATH AND ORSPlaintiffs

Through: Mr. A.S. Chandhiok (Sr. Adv) along
with Ms. Anita Sehgal, Ms. Purva
Kohli, Ms. Chakshu Thakral, Advs.

versus

MR. KARAN AND ORSDefendants

Through: Mr. Amit George, Mr. Manish
Gandhi, Ms. Namrata Mahapatra, Ms.
Lija Merin John, Mr. Rupam Jha,
Advs. for D1 and D2
Mr. Siddharth Anand, Adv. for D3
Mr. Arman Roop Sharma, Ms.
Shivangi Goel, Advs. for D4
Mr. Sumit Goel, Ms. Sreeparna
Basak, Ms. Ruchi Krishna Chauhan,
Ms. Akshita Dogra, Ms. Sharen Joel,
Advs. for D5
Mr. Ankit Raj (SC) along with Mr.
Divvijay Singh, Adv. for D-6/PNB
Mr. Jagdish Chandra, Ms. Manya
Saxena, Ms. Sanskriti, Mr. Lakshay
Kumar, Advs. for D7 and D8

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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22.07.2026

IA Nos.6886/2025 (on behalf of the plaintiffs Under Order XXXIX Rules 1,
2 & 3 read with Section 151 of the Code Of Civil Procedure, 1908 against
defendant nos. 1 &2.)

1. Learned counsel for the defendant nos. 1 and 2 submits that the



written statement of the said defendants is not on record. He submits that an application for condonation of delay has been filed with regard thereto.

2. Accordingly, he seeks an adjournment to address arguments.
3. During the course of hearing, it transpires that in Paragraph-19 of the reply to the instant I.A. it has been averred as under:-

“The contents of paragraph no. 10 of the application are wrong and are denied as alleged. It is denied that any balance of convenience is in favour of the Plaintiffs as alleged. It is denied that Defendant Nos. 1 and 2 have already misutilized the money illegally withdrawn by them as alleged. It is stated that money was credited to Defendant No.1 on account of proper nomination by Late Mr. Kailash Nath or holding the account jointly with Late Mr. Kailash Nath. It is denied that Defendant Nos. 1 and 2 are likely to appropriate or divert the money, rendering the decree as redundant as alleged. It is stated that the suit for recovery of money is not maintainable against the Answering Defendants. It is denied that Defendant Nos. 1 and 2 have committed any fraud on late Mr. Kailash Nath as alleged or otherwise or have deprived plaintiffs of the savings of Mr. Kailash Nath as alleged.”

4. It is the case of the defendant nos. 1 and 2 itself that:-
 - i. The said defendants have not misutilized the money.
 - ii. Certain money was credited to the defendant no.1 on account of proper nomination by Late Mr. Kailash Nath.
5. Considering the circumstances, an *ad interim* order is passed to the effect that that *status quo* shall be maintained by the defendant no.1 in respect of the money received by the defendant no.1 as nominee of Late Mr. Kailash Nath.
6. List before the Joint Registrar (Judicial) for consideration of other pending applications on 02.09.2026.
7. List before Court for consideration of instant application on 08.10.2026.

I.A. 20442/2025 (on B/O d-1 seeking condonation of delay of 82 days in filing w.statement)



I.A. 20445/2025 (on B/O d-2 seeking condonation of delay of 82 days in filing w.statement)

8. These are applications filed on behalf of the defendant no.1 and defendant no.2 seeking condonation of delay in filing the written statement.

9. While refuting the reasons cited in the applications, learned senior counsel for the plaintiff does not oppose the prayers for condonation of delay.

10. Considering the averments made in the applications, the same are allowed. The delay of 82 days in filing the written statement stands condoned. Let the written statement be brought on record.

11. The applications stand disposed of.

JULY 22, 2026/uk

SACHIN DATTA, J