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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ CS(COMM) 109/2020

SHRI NARESH KUMAR

.....Plaintiff

Through: Mr.Bharat Bhushan Gupta, Adv.

versus

SHRI KRISHAN CHAUHAN

.....Defendant

Through: Mr.B.N. Gaur, Adv.

CORAM:
JOINT REGISTRAR (JUDICIAL) SH. PURSHOTAM PATHAK (DHJS)

<u>O R D E R</u>

% 13.01.2022

<u>Matter is being heard through video conferencing due to office order no.896/RG/DHC/2021 dated 30.12.2021</u>

<u>I.A. No.9528/2021 filed by the defendant seeking exemption from filing attested copies of affidavit/statements of truth etc.</u>

Heard.

Learned counsel for the applicant submits that in view of the office order No.289/RG/DHC/2020 dated 23.04.2021, the present application may be allowed. Same is not opposed.

The present application seeking exemption from filing attested affidavits/statement of truth is allowed, subject to just exceptions.

I.A. stands disposed of.

I.A. No.9513/2021 filed by the defendant under Order 8 Rule 1 CPC for condonation of delay in filing written statement

Vide this I.A., defendant seeks condonation of delay in filing written statement. It is stated by learned counsel for the defendant that written statement could not be filed within 30 days as there was delay in supplying the documents and also due to ongoing COVID-19 pandemic. The said application is strongly opposed by Learned counsel for plaintiff. However, the learned counsel for the plaintiff submits that he has no objection if the abovesaid application is allowed, subject to heavy cost.

In view of submissions and NOC of learned counsel for plaintiff and since the written statement has been filed within the outer limit of 120 days, therefore, in the interest of justice, said delay is condoned, subject to defendant bearing cost of Rs. 5000/- to the plaintiff.

The present I.A. stand disposed of.

The written statement of defendant is taken on record.

I.A. No.9527/2021 filed by the defendant under Order 8 of the Arbitration & Conciliation Act for directions to plaintiff

I.A. No.9529/2021 filed by the defendant seeking exemption from filing clear copies of dim and less margin documents

Put up for arguments on 22.02.2022.

PURSHOTAM PATHAK (DHJS), J

JANUARY 13, 2022/tp

Click here to check corrigendum, if any