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

+ **CS(OS) 246/2019**

MS. SALONEE PURI

..... Plaintiff

Through: Ms. Manpreet Kaur, Adv.

versus

MS. SANJANA ROY CHOUDHURY & ANR.

..... Defendant

Through: Ms. Deepa Rai & Mr. Mriyank
Shekhar, Advocates.

CORAM:

**SH. VIJAY SHANKAR (DHJS), JOINT REGISTRAR
(JUDICIAL)**

ORDER

% **06.09.2019**

**I.A.No. 12401/2019 under Section 5 of Limitation Act for
condonation of delay in filing of written statement on behalf of the
defendants**

Counsel for the plaintiff the notice of the aforesaid application and submitted that no sufficient ground has been mentioned by the defendants in the present application for not filing the written statement within statutory period and the aforesaid application of the defendants be dismissed with heavy cost.

It is submitted by counsel for the defendants that in the present case, the written statement could not be filed by the defendants within statutory period due to the reasons as mentioned in the aforesaid

application and the delay in filing the written statement by the defendants be condoned.

Arguments heard on the aforesaid application of the defendants. Perused the material available on record. Considering the facts, circumstances and in view of the submissions made, aforesaid application of the defendants is allowed subject to cost of Rs.10,000/- to be deposited with Army Welfare Fund Battle Casualties. Receipt of cost be furnished before the date already fixed. Written statement already stated to be filed by the defendants. Copy already stated to be supplied.

IA stands disposed of.

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Counsel for the plaintiff seeks time for filing replication and affidavit of admission/denial of the documents. Heard. Request is allowed. Same be filed within four weeks with direction to supply the advance copy of the same to the opposite counsel.

It is submitted by counsel for the parties that the present matter be placed before the Hon'ble Court on the date already fixed and they will make appropriate submissions before the Hon'ble Court.

List the matter before the Hon'ble Court for further directions on the date already fixed i.e. **30th October, 2019.**

**VIJAY SHANKAR (DHJS)
JOINT REGISTRAR (JUDICIAL)**

SEPTEMBER 06, 2019/nk