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**IN THE HIGH COURT OF DELHI AT NEW DELHI**  
**CS(OS) 286/2025**  
**NEENA KAPOOR**

.....Plaintiff

Through: Mr. Vaibhav Dang, Adv.

versus

**VISHNU KHANNA & ANR.**

.....Defendant

Through: Mr. Sahil Gupta, Ms. Apoorva  
Pradhan & Mr. Siddhart, Advs.  
(Mobile No.9758777845)

**CORAM:**  
**JOINT REGISTRAR (JUDICIAL) SH. MANISH**  
**SHARMA, (DHJS)**

**ORDER**  
**16.10.2025**

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**I.A.No.20966/2025 (under Section 5 of the Limitation Act seeking condonation of delay in filing the written statement)**

1. It is averred in the captioned IA that counsel for the defendants appeared in the present case on 20.05.2025 and the defendants were granted time to file written statement. It is further averred that written statement could not be filed within stipulated period of 30 days as the defendant no.1 is a senior citizen aged about 70 years suffering from various old age related ailments. It is also averred that due to medical condition of the defendant no.1, he was advised complete bed rest and due to this reason, defendant no.1 could not contact his counsel. It is averred that delay further occasioned due to the time required for procuring and collating the relevant documents and some of which pertain to the



year 1989. It is further allowed that due to the aforesaid reasons, written statement could not be filed within 30 days, however, the same was filed within the extended period of 120 days.

2. Learned counsel for the plaintiff has vehemently opposed the captioned IA and submits that the written statement of the defendants cannot be taken on record.
3. Heard. Record perused.
4. Perusal of record shows that summons of the suit was not issued to the defendants as PF was not filed by the plaintiff. Learned counsel for the defendant nos.1 & 2 appeared before the Hon'ble Court on 20.05.2025 and accepted the summons. Defendants were granted time to file written statement.
5. Perusal of captioned IA shows that the reason for delay mentioned by the defendants is with respect to old age and illness of defendant no.1 and nothing has been mentioned as to why defendant no.2 could not take any step to file the written statement within stipulated period.
6. Further perusal of record shows that the defendants have filed the written statement on 18.08.2025 and re-filed on 20.08.2025. It is evident that the written statement could not be filed within 30 days, however, the same was filed within the extended period of 120 days. In view of the fact mentioned in the captioned IA that written statement could not be filed due to old age and various ailments of defendant no.1, the captioned IA is allowed. Delay in filing the written statement and affidavit of admission/denial of documents is condoned



and the same are taken on record.

7. IA stands disposed of.

**I.A. 21449/2025 (u/O-VII R-11 CPC) on behalf of the defendants**

8. As per office note, notice issued to learned counsel for the plaintiff has been served.

9. Learned counsel for the plaintiff accepts notice of the captioned IA and seeks time to file reply.

10. Let reply to the captioned IA be filed within four weeks with advance copy to the other side.

11. Rejoinder, if any, be filed within two weeks thereafter.

**CS(OS) 286/2025; I.A.No.11406/2025 (under order XXXIX Rule 1 & 2 CPC) & I.A.No.11407/2025 (for appointment of Receiver)**

12. Written statement, documents, vakalatnama and reply to IA No.11406/2025 filed on behalf of the defendants are taken on record today.

13. Plaintiff shall file replication and affidavit of admission/denial of documents within four weeks.

14. 'Joint Document Schedule' in terms of Rule 7A Chapter VII of Delhi High Court (Original Side) Rules, 2018 be filed at least a week prior to the next date. A hard copy of the Joint Document Schedule, in addition to e-filing, be also filed.

15. Re-notify the matter for completion of pleadings and admission/denial of documents on **07<sup>th</sup> January, 2026**.

**MANISH SHARMA, (DHJS)**  
**JOINT REGISTRAR (JUDICIAL)**  
**OCTOBER 16, 2025/nk**