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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 500/2021

GAYATRI VARMA

.....Plaintiff

Through: Mr. Vikrant N. Goyal & Ms.
Sarika Gupta, Advs. for P-1
Mr. Kuljeet Rawal, Mr. Akshit
David & Mr. Aditya Joshi, Advs.
for P-2

versus

SUNITA MADHOK & ORS.

.....Defendants

Through: Mr. Kuldeep Singh, Adv. for D-1
(Mob.8384807282, Email:
kdteotia@gmail.com)

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

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09.08.2024

**IA 16145/2023 (Application filed by defendant no.1 for
condonation of delay of 94 days in filing Written
Statement)**

1. Pleadings are already complete.
2. Part arguments heard.
3. At this stage, it is pointed out by learned counsel for the plaintiff that in the present matter, the defendant no.1/applicant has admitted that in the rejoinder to captioned IA that Written Statement filed on 17.07.2023 was not same as Written Statement placed on 10.05.2023 and grammatical changes were made in the Written Statement filed on 17.07.2023. However, still supporting Affidavit to the Written Statement filed on 17.07.2023 is of 10.05.2023 only and Written Statement filed on record on even bears the date of 10.05.2023 and not 17.07.2023. However, the facts of the matter is that the Written Statement filed on 17.07.2023 is filed within period of 120 days of service. So, in the interest of justice and subject to



imposition of cost of Rs.8000/- to be paid to the plaintiff by the applicant/defendant no.1, the captioned IA stands allowed as prayed for and delay, if any, in filing Written Statement alongwith Affidavit of Admission/Denial of the documents by the applicant/defendant no.1 is condoned. However, the defendant no.1 is directed that without changing at all the contents of the Written Statement of defendant no.1 on record, fresh Written Statement with proper date i.e. 17.07.2023 shall be filed by defendant no.1 alongwith fresh supporting Affidavit within one week with copy to the opposite side.

Accordingly, the captioned IA stands disposed of.

CS(OS) 500/2021

Vide order of even date, the delay in filing Written Statement alongwith Affidavit of Admission/Denial of the documents by the defendant no.1 is condoned.

As per record, the defendant no.1 has also filed some documents alongwith Written Statement.

The plaintiff is directed to file Replication alongwith Affidavit of Admission/Denial of the documents within stipulated as prescribed by law with copy to the opposite side.

Re-notify the matter for completion of pleadings on 11.11.2024.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
AUGUST 9, 2024/ab

Click here to check corrigendum, if any