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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CS(OS) 603/2022 & I.A.15969/2022

SMT RASHMI KATYAL Plaintiff
Through: Ms. Bhumika Sharma, Adv., Mr.
Kunj Mehra, Adv. (M- 9560383501)

versus

SMT CHANDER KANTA Defendant
Through: Mr. Sajal Dhamija, Adv.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **20.05.2024**

1. This hearing has been done through hybrid mode.
2. Vide order dated 3rd April, 2024, the ld. Joint Registrar has considered the issue of filing of written statement and replies to application and the operative portion of the order issued on the said date is set out below:

“5. Heard. Perusal of order dated 01.12.2022 would show that the defendant entered appearance through counsel and submitted that he had not received copy of complete paper and accordingly, plaintiff was directed to supply the same to the defendant within two days and defendant was directed to file written statement within prescribed period and the matter was adjourned for 06.03.2023.

6. Ld. Counsel for plaintiff has submitted that he had already supplied copy of complete paper book to Ld. Counsel for defendant in terms of order dated 01.12.2022. Perusal of order dated 06.03.2023 would also show that counsel for defendant had appeared and no submission was made on behalf of the defendant that the defendant had not received copy of complete paper book in terms of order dated 01.12.2022, which shows that the defendant had already received copy of complete paper book before 06.03.2023. However, written statement has been filed on behalf of the



defendant in the matter vide diary no.69875/2024 on 13.01.2024, which has not come on record till date and same is lying under objection. The application for condonation of delay stated to be filed on behalf of the defendant has also not come on record till date. The statutory period of 120 days for filing written statement and affidavit of admission/denial of documents on behalf of the defendant has already expired long back even from the date of 06.03.2023.

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8. Keeping in view the above said facts & circumstances and fact that statutory period for filing written statement and affidavit of admission/denial of documents on behalf of the defendant has already expired, right of defendant to file the same stands closed.

9. Perusal of record further shows that many opportunities have been given to the defendant for filing reply to the captioned IA, however, the same has not been filed till date. Hence, right of the defendant to file reply to the captioned IA also stands closed.

3. As per the Joint Registrar's order, the right of the Defendant to file the written statement stands closed. Affidavit of admission/denial was filed with the written statement which has not come on record. Let the Defendant take steps in accordance with law.
4. Parties to bring the proposed issues on the next date.
5. If the Defendant does not take steps to challenge the order of the Joint Registrar, the Court would proceed to frame issues on the next date.
6. List before the Court on 27th August, 2024.

PRATHIBA M. SINGH, J.

MAY 20, 2024

Rahul/am