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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CS(OS) 10/2024

ARYAMAN SHARMA

..... Plaintiff

Through: Mr. Rahul Sharma, Adv.

versus

MANJU SHARMA

..... Defendant

Through: Mr. Mudit Gupta, Adv.

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

% **ORDER**
03.10.2024

I.A.No.39136/2024 (under Order VIII Rule 1 CPC filed on behalf of the defendant seeking condonation of delay of 55 days in filing written statement)

1. As per office note, notice could not be issued as PF not filed.
2. Learned counsel for plaintiff accepts notice of the captioned IA and submits that he does not wish to file reply to the captioned IA.
3. Arguments heard. Record perused.
4. It is averred in the captioned IA that the defendant was served with the summons of the suit on 11/03/2024, however, complete set of paper book was not supplied to him. It is further averred that after directions of the Hon'ble Court, learned counsel for the plaintiff has supplied complete copy of the paper book on



24/04/2024. It is prayed that there is a delay of 55 days in filing the written statement and the same may be condoned.

5. Perusal of record shows that the defendant has filed the written statement for the first time on 23/07/2024 but the same was returned under objection. Thereafter, the written statement filed by the defendant was again returned under objection number of times. Finally, written statement was filed on behalf of the defendant on 13/08/2024 along with the captioned IA.
6. In view of the averments made in the captioned IA and also in view of the above facts, the captioned IA is allowed subject to payment of cost of Rs.5,000/- to be paid to learned counsel for the plaintiff. Delay in filing written statement is condoned and the same is taken on record.
7. IA stands disposed of.

I.A.No.35526/2024 (under Order VII Rule 11 CPC filed on behalf of the defendant seeking rejection of the plaint)

8. It is submitted that the captioned IA is coming up before the Hon'ble Court on 08/10/2024.

CS(OS) 10/2024; I.A.No.296/2024 (under Order XXXIX Rule 1 & 2 CPC) & I.A.No.298/2024 (under Section 149 CPC seeking exemption from paying ad-valorem court fee)

9. The matter is at the stage of completion of pleadings and admission/denial of documents.
10. As per office note, written statement and affidavit of admission/denial of documents have been filed on behalf of the defendant.



- 11.Learned counsel for plaintiff seeks time to file replication and affidavit of admission/denial of documents.
- 12.Let the pleadings be completed as per law.
- 13.Learned counsel for the plaintiff submits that the matter may be placed before the Hon'ble Court on the date already fixed and he will make appropriate submissions before the Hon'ble Court.
- 14.At request, list the matter before the Hon'ble Court for further directions on the date already fixed i.e. **08th October, 2024.**

MANISH SHARMA, (DHJS)
JOINT REGISTRAR (JUDICIAL)
OCTOBER 3, 2024/nk
Click here to check corrigendum, if any