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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 673/2025 & I.A.No.23692/2025

SHRI PRAVIN SINGH

.....Plaintiff

Through: Mr. Amar Nath and Mr.
Brajesh Jha, Advs.

Versus

SHRI CHANDAN KUMAR SINGHDefendant

Through: Mr. Abhyuday Dasmana,
Adv. (Email ID:
office@augustattorneys.in)

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. GAGANDEEP
JINDAL (DHJS)**

ORDER

05.05.2026

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Proceedings are being conducted through hybrid mode.

**I.A.No.2068/2026 (u/S 5 of limitation Act r/w Section 151
CPC for condonation of delay of 89 days in written
statement alongwith supporting affidavit)**

1. Arguments heard.
2. Ld. Counsel for the defendant argued that there is delay of 89 days in filing written statement on behalf of defendant. The delay occurs in collecting the voluminous record/documents pertinent to his employment with source dot com private Ltd. The delay was neither intentional nor deliberate.
3. Ld. Counsel for plaintiff oppose the application on the ground that application for condonation of delay in filing written statement was filed beyond 120 days. He further argued that the defendant has filed two written statements vide diary no. 35880/2026 and 118991/2026.
4. The defendant cannot file second written statements without permission of court and also cannot file additional document with the second written statement.
5. To counter these arguments, Ld. Counsel for defendant



submits that the application for condonation of delay was filed alongwith the written statement on 19.1.2026. The written statement was re-filed after removing the objections but the registry has given another diary number for the same. There is no change in the contents of both the written statements.

6. I have gone through the record.
7. It is settled law that technicalities of law should not come in the way of justice and endeavour of court should be to decide the lis on merits. The written statement has been filed within outer limit of 120 days. Hence, considering the submissions made in the application, the delay in filing written statement and affidavit of admission/denial of documents on behalf of the defendant is condoned.
8. The written statement and documents filed on behalf of defendant vide diary no. 35880/2026 be taken on record if it is complete in all other aspects.
9. The captioned IA stands disposed off accordingly.

CS(OS) 673/2025

10. Plaintiff is directed to file replication and affidavit for admission/denial of documents within 30 days.
11. Let Joint Document Schedule including hard copy of the same be filed at least two weeks before the next date.
12. Both the parties shall file hard copies of their documents at least two weeks before the next date.
13. Re-notify the matter for admission/denial of documents on 5th August, 2026.

**GAGANDEEP JINDAL (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MAY 05, 2026/PU

[Click here to check corrigendum, if any](#)