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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(OS) 2452/2014

HARVINDER SINGH

..... Plaintiff

Through : Mr. P. K. Saxena and Mr. Deepak
Dahiya, Advs.

versus

M/S HATHWAY CABLE & DATACOM LTD Defendant

Through : Mr. Saurabh D. Karan Singh, Adv.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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26.11.2015

O.A. No.376/2015

Vide order dated 10th September, 2015 right of the defendant to file written statement has been closed by the Joint Registrar since written statement was not filed within 90. There is a delay of 173 days in filing the written statement. Reasons to explain the delay have been given that certain key employees of the company had resigned, thus, the information could not be provided to the lawyer in time so as to prepare the written statement. In the above facts, delay in filing the written statement ought to have been condoned by the Joint Registrar, subject to costs. Appeal is allowed, subject to, however, costs of Rs.20,000/- to be deposited with Bar Council of Delhi Advocates Welfare Fund within two weeks.

It is submitted that written statement has been returned with

objections and is lying at the filing counter. Counsel to collect the same and re-file it within one week. Once the written statement is filed, same be tagged in the file, before remitting the file to District Court.

O.A. is disposed of in the above terms.

CS(OS) No. 2452/2014

This is a suit for recovery of Rs.28,84,438.57/-. In view of the notification no.27187/DHC/Orgl. dated 24.11.2015 under Section 4 of the Delhi High Court (Amendment) Act, 2015, the suit has to be transferred to the subordinate courts of competent jurisdiction.

Learned counsel for the plaintiff submits that suit be transferred to the District Judge (South East District), Saket Courts Complex, New Delhi. Ordered accordingly. Let parties appear before the District Judge (South East District), Saket Courts, New Delhi on 13th January, 2016.

A.K. PATHAK, J.

NOVEMBER 26, 2015

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