

A.No.6351 of 2016 in C.S.No.825 of 2010**C.V.KARTHIKEYAN, J.**

Heard the learned counsel for the applicants and the learned counsel for the respondent/plaintiff.

2. Application filed to condone the delay of 2155 days in filing written statement on behalf of the second and third defendants. The reasons stated in the delay petition is that originally another counsel was appearing and thereafter, the counsel, at present in this application, who entered appearance in the year 2015 thought it fit to file application to reject the plaint and during pendency of the application, the written statement could not have been naturally filed. After disposal of the said application, the written statement has now been filed and there is a delay of 2155 days.

3. Learned counsel for the plaintiff states that there is a delay nearly 6 years and this Court ought not to be very indulgent while granting the relief sought for in the application.

4. The suit is filed on the basis of agreement between the parties which is being challenged by both of them. This suit naturally requires

pleadings from both plaintiff and defendants. Consequently from that angle, written statement is necessary. However, since there is delay, the plaintiff should also be compensated. Hence, the delay of 2155 days shall be condoned on payment of Rs.2500/- payable to the plaintiff on or before 20.12.2016. Call on 21.12.2016.

30.11.2016

adl

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