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

+ CM(M) 651/2016

RAJESH CHAUDHARY & ANR Petitioner
Through Mr.Dhan Mohan and Ms.Tanu
B.Mishra, Advs.

versus

ICICI BANK LTD Respondent
Through Mr.Punit K.Bhalla and Ms.Chetna
Bhalla, Advs.

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **13.07.2016**

The present petition seeks to impugn the order dated 17.8.2015 & 28.5.2016 by which right of the petitioner to file written statement was closed.

Learned counsel appearing for the respondent submits that there are no bona fides in favour of the petitioner and they have defaulted repeatedly in dealing with the bank. He has pointed out that the post dated cheques given by the petitioner have been returned unpaid plus the bank drafts which were returned to them as the same had expired.

Learned counsel appearing for the petitioner submits that grave prejudice would be caused to his client in case the written statement of the petitioner is not taken on record. He submits that though he would not like to go into the merits of the case and only seeks for indulgence of this Court for grant of two days' time to file the written statement on record.

In the interest of justice the plea of the petitioner is accepted. He may place written statement on record before the trial court within two days from today, i.e. or on or before 16.7.2016 subject to payment of costs of Rs.10,000/-. The costs would be paid to the learned counsel for the respondent appearing only within one week from today. If for some reason, the above schedule is not adhered to the right of the petitioner to file written statement shall stand closed.

Petition stands disposed of.

A copy of this order be given Dasti to learned counsel for the petitioner under signatures of the Court Master.

JAYANT NATH, J

JULY 13, 2016

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