

\$~14

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

+ **CS(OS) 2553/2013**

SANJAY KUMAR PARIDA

..... Plaintiff

Through: Mr. Sumit Bansal, Advocate along
with Mr. Ateev Mathur and Ms. Jagriti
Ahuja, Advocates.

versus

SHYAM MALIK

..... Defendant

Through: Mr. Rajat Sharma, Advocate along
with Mr. Shyam Malik, Advocate.
Defendant in person.

CORAM:

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

%

06.12.2016

I.A. 11118/2016 (application for condonation of delay in filing application under Order IX Rule 4 read with Section 151CPC for restoration) & I.A. 11117/2016 (application on behalf of the plaintiff under Order IX Rule 4 read with Section 151 CPC for restoration of suit)

Learned counsel for the defendant submits that he has no objection if the application be allowed. He, however, submits that since the delay is about 363 days, heavy cost be imposed upon the defendant.

Since there is a delay of about 363 days, application is allowed subject to payment of cost of Rs. 50,000/-.

Both the applications stand disposed of and the suit is ordered to be restored to its original number.

CS(OS) 2553/2013

The suit is valued by plaintiff at Rs. 30,000/-. This Court does not have pecuniary jurisdiction.

Matter be listed before the District Judge, Saket for assigning it to the Court of competent jurisdiction.

Parties are directed to appear before the District Judge, Saket on 15.12.2016.

DEEPA SHARMA, J

DECEMBER 06, 2016

sapna