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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 837/2016 & CM No.31339/2016
GOVT OF NCT OF DELHI & ANR Petitioner
Through Mr.Naushad Ahmed Khan,
ASC(Civil) and Ms.Astha Nigam, Advs.

versus

GORDHAN DASS RATHI STEELS LIMITED..... Respondent
Through Mr.Sandeep Garg and Ms.Priya
Saxena, Advs.

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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29.09.2016

1. By the present petition the petitioner seeks to impugn the order dated 3.5.2016 by which the application filed by the petitioner to condone the delay in filing of the written statement was dismissed. The respondent has filed the present suit seeking a decree of permanent injunction to restrain the defendant/petitioner from taking forcible possession of land forming part of Khasra No.216, 218 and 221 Village Sikdharpur, Illaqa Shahdara, Delhi other than by due process of law.
2. The trial court by the impugned order noted that despite being served on 12.7.2013 the defendant had not filed the written statement. It noted the contention of the defendant/petitioner that the records pertaining to the suit were seized by the Anti Corruption Branch. It noted that alongwith the application no record has been placed on record regarding seizure of any documents by the anti corruption branch. No record was also filed qua the action taken against Man Mohan Singh Naib Tehsildar and other officials.

The application was hence dismissed.

3. Learned counsel for the petitioner has reiterated that the records have been seized by the Anti Corruption Branch and there was no malafide intent on the part of the petitioners. He submits that the delay is on account of bona fide reasons.

4. Keeping in view the above facts and the nature of relief sought by the defendants/respondent it is in the interest of justice that the written statement which is filed by the petitioner is taken on record. Accordingly, subject to payment of costs of Rs.10,000/- the written statement is directed to be taken on record.

5. Petition stands disposed of. All pending applications, if any, also stand disposed of accordingly.

JAYANT NATH, J

SEPTEMBER 29, 2016

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