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

+ CM(M) 1238/2016 and CM Nos. 44493-94/2016

HANUMAN PRASAD SHARMA Petitioner

Through Mr. Dilip Singh, Advocate.

Versus

RAM KUMAR GUPTA Respondent

Through None.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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30.11.2016

By the present petition filed under Article 227 of the Constitution of India, the petitioner seeks to impugn the order dated 26.09.2016 by which his right to file the written statement was closed. The petitioner was served on 23.08.2016. On 26.09.2016, the trial court noted that the written statement has not been filed despite expiry of 30 days. Hence, the right of the petitioner/defendant to file the written statement was closed.

An advance copy of the petition has been sent by speed post to the respondent. However, none is present on his behalf.

Learned counsel appearing for the petitioner submits that the delay took place as the counsel appearing for the petitioner, namely, Sh.Dilip Singh was suffering from Dengue. The petitioner has shown sufficient cause for non-filing of the written statement within the stipulated period. The petitioner is accordingly granted one week's time to file the written

statement.

The petition stands disposed of.

All pending applications also stand disposed of.

JAYANT NATH, J.

NOVEMBER 30, 2016/rb