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

+ CM(M) 1259/2016

PUSHPA RANI

..... Petitioner

Through Mr. Vikram Saini, Ms. Chhaya Sharma
and Mr. A.K. Singh, Advocates

versus

COMMISSINER OF EAST DELHI MUNICIPAL
CORPORATION & ORS

..... Respondents

Through

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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06.12.2016

CM Nos.45310-45311/2016 (exemption)

Exemption allowed, subject to all just exceptions.

CM(M) 1259/2016

By the present petition under Article 227 of the Constitution of India the petitioner seeks to impugn the order dated 8.8.2016. Essentially, the grievance of the petitioner is that the defendants No.1 to 9 before the trial court were served with summons on 9.3.2015. They have filed their written statement on 30.9.2015 i.e. beyond the period of 90 days.

The trial court by the impugned order noted that defendant No.1 is a government body whereas defendants No.2 to 8 are its officials. The petitioner has filed the suit for recovery of damages against the respondents for alleged illegal demolition of his property. Respondent No.1 is East Delhi Municipal Corporation. The trial court came to a conclusion that the said defendants have shown sufficient cause for delay in filing the written statement and that the petitioner shall be compensated with costs for the

delay caused. The written statement filed by said defendants No.1 to 9 before the trial court was taken on record, subject to costs of Rs.4,000/-.

I see no infirmity in the impugned order. Present petition is dismissed. All pending applications, if any, also stand disposed of accordingly.

JAYANT NATH, J.

DECEMBER 06, 2016/n