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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CM(M) 1079/2015

VIKRAM KUMAR

..... Petitioner

Through Ms. Upasana Kang, Adv.

versus

RAKESH SARAF

..... Respondent

Through Mr. Manish Kaushik and Ms.
Tarannum Ansari, Adv.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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02.05.2016

The impugned order had disallowed taking on record the written statement. The petitioner is aggrieved by that order. Submission is that a valuable right of the petitioner would be lost in case he is not allowed to plead his defence.

Record shows that the present suit is a suit for recovery of Rs.19,77,000/-. The defendant was served on 20.05.2012. Written statement was filed only on 24.09.2012. The reason for not filing the written statement was that the earlier counsel was not in effective communication with his client and the documents filed by the plaintiff had also been supplied belatedly .

This position is disputed by the learned counsel for the non-applicant/plaintiff.

Be that as it may, in view of the averments made by the petitioner in the aforementioned application as also the explanation furnished by him, in the interest of justice, the written statement

which has already been filed before the Trial Court is permitted to be taken on record. This order is passed subject to payment of costs of Rs.25,000/-.

Petition disposed of.

INDERMEET KAUR, J

MAY 02, 2016

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