

\$~13

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

+ CM(M) 477/2017, CM No.16373/2017

SUNITA SINGH

..... Petitioner

Through: Mr. Ratneshwar Pandey, Adv.

versus

ASHOK KUMAR

..... Respondent

Through: Mr.P.K. Sharma, Advocate along
with the respondent

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

13.12.2017

%

The petitioner is the defendant in Civil Suit (SCJ No.613450/2016) instituted by the respondent on 2nd November, 2016. She was served with the summons on 9th November, 2016. On her request, extension of time by additional 15 days was granted by order dated 19th January, 2017 for written statement to be filed. This did not result in written statement being submitted. Eventually, on 28th February, 2017, the petitioner submitted the written statement through counsel explaining the delay attributing it to her illness and financial constraints. The Civil Judge declined to entertain the written statement closing her defence. It is this order which is under challenge.

Having regard to the explanation given, the impugned order is set aside. The written statement of the petitioner is directed to be taken on record. The case thereafter shall proceed further in accordance with law.

The petition is disposed of with these directions.

Order dasti under the signatures of the Court Master.

R.K.GAUBA, J

DECEMBER 13, 2017

pk