

\$~A-3

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

+ CM(M) 1205/2016 and CM No. 43873/2016

R.D.G IDEA (INTERIOR DECORATION EXTERIOR
ARCHITECHTURE PVT LTD)

Petitioner

Through Mr.P.S.Datta, Sr. Advocate with
Ms.Komal Sorout, Advocate.

versus

MOHD AKRAM

..... Respondent

Through Mr.V.N.Chaturvedi and Mr.Abhishek
Chaturvedi, Advocates.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

%

13.02.2017

By the present petition filed under Article 227 of the Constitution of India, the petitioner seeks to challenge the order dated 05.10.2016 by which the right of the petitioner to file the written statement was closed.

I have heard the learned counsel for the parties.

Learned senior counsel for the petitioner submits that the matter was fixed before the trial court on 30.07.2016. He submits that the counsel for the petitioner had appeared on the said date and sought time to file the reply. The respondent did not oppose the filing of the reply. The matter was adjourned to 13.10.2016. He further submits that instead of being listed on 13.10.2016, the court has taken up the matter on 05.10.2016 and closed the right of the petitioner to file the written statement in view of the submission

of the respondent that more than 212 days have lapsed.

Keeping in view the order dated 30.07.2016, there are sufficient grounds for permitting the petitioner to place on record the written statement. Subject to payment of costs of Rs. 7500, the petitioner is permitted to place on record the written statement within two weeks from today.

With the above observations, the petition stands disposed of. All pending applications also stand disposed of.

JAYANT NATH, J

FEBRUARY 13, 2017

rb