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

+ CM(M) 794/2017

DELHI DEVELOPMENT AUTHORITY

..... Petitioner

Through: Mr. Rajiv Bansal, Senior Advocate
with Mr. Dhanesh Relan, Standing
Counsel for DDA.

versus

SHIV CHARAN & ANR

..... Respondents

Through: Mr. Sudhir Kumar Sharma, Adv. with
Mr. Aakash Varma, Adv. for R-1.
Mr. Rampal Singh, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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14.12.2017

The civil suit in which the petitioner herein was impleaded as second defendant was initially filed by the first respondent against the second respondent, both of them being brothers, the dispute relating to a property the allotment of which was made by the petitioner. The written statement of the petitioner was not taken on record by the Additional District Judge on the ground that it had been tendered beyond the period prescribed.

The counsel for the first respondent, who represents the plaintiff, the master of the suit, fairly concedes that the written statement may be allowed to be taken on record.

In this view, the impugned order is set aside. The delay is condoned. The written statement of the petitioner shall be taken on record on the date

next fixed. Needless to add, the plaintiff will have to be given opportunity to file his replication and fresh issues, if any, arising will have to be considered and settled before the case proceeds further.

With these observations and directions, the petition stands disposed of.

R.K.GAUBA, J

DECEMBER 14, 2017
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