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

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Judgment delivered on: 27.08.2019

+ C.R.P. 103/2018

NARENDER KUMAR POPLI

..... Petitioner

versus

SADAN BATRA

..... Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. Priyanka Garg with Mr. Sanjeev K. Pabbi,
Advocates.

For the Respondents: Mr. Ruchir Batra, Advocate.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

C.R.P. 103/2018 & CM APPL.20603/2018 (stay)

1. Petitioner impugns order dated 23.03.2018, whereby, the application of the petitioner seeking condonation of delay in filing the written statement and the right to defend the suit has been closed.

2. Learned counsel for the petitioner submits that initially copy of the annexures to the plaint were not supplied and they were supplied on 16.09.2017 and the written statement was filed on 20.12.2017, with a delay of about 14 days. She submits that there was a lapse on the

part of the earlier counsel.

3. Learned counsel for the petitioner prays that an opportunity be granted to the petitioner to defend the suit subject to terms.

4. Learned counsel for the respondent denies the averments of the petitioner, however, submits that without prejudice and to avoid any further delay in the proceedings, he has no objection in case the written statement filed by the petitioner is taken on record subject to terms and he is permitted to defend the Suit.

5. In view of the above, order dated 23.03.2018 is set aside. Subject to petitioner paying the costs of Rs.10,000/- to the respondent on the next date of hearing, i.e. 30.08.2019, before the Trial Court, The written statement filed by the petitioner shall be taken on record and the Trial Court shall proceed further from that stage.

6. Petition is allowed in the above terms.

7. Order *Dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

AUGUST 27, 2019
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