

A.No.854 of 2020
in
C.S.Nos.579 of 2019
C.V.KARTHIKEYAN,J.,

Today, the matter is called through video conferencing.

2. This application is filed to condone the delay of 83 days in filing the written statement. In the affidavit filed in support of the said application, it had been stated that the applicant/defendant/New India Assurance Company Limited, Coimbatore was handicapped to file written since the officials who handled the issue had to determine the documents to be filed. Time had lapsed for filing the written statement and it could not be filed within the initial period of 30 days granted under the Commercial Courts Act.

3. However, the written statement has been filed with a delay of 83 days along with 32 documents.

C.V.KARTHIKEYAN,J.,

sbn

4. The learned counsel for the plaintiff raises an objection. But, however, placed a caveat permitting to file a reply statement.

5. The plaintiff is at liberty to file necessary application seeking leave of the Court. The present application in A.No.854 of 2020 is allowed. Under the Commercial Courts Act, if there is a delay in filing the written statement, costs can also be imposed. However, in this case, I am not imposing any costs, but, at the time of final disposal of the suit, the costs to be imposed as against the defendant would be decided.

sbn

17.07.2020

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