

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.09.2020

CORAM:

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

CRP (PD) No.793 of 2018 and
CMP No.4373 of 2018

Trilochan Singh Chadha, Director
Jaico Automobiles Engineering Co. Private Limited,
No.9/10, Dhoddannagudi Industrial Area,
Stage II, Mahadevapuram Post,
Bangalore 560 048.

Vs

1. Harita Seating Systems Limited
Belagondapalli,
Thally Road,
Hosur 635 114,
Tamil Nadu.
Rep by Senior Executive (Sales)
Nagina Singh.
2. Jaico Automobiles
Engineering Co. Private Limited
Rep. by its Managing Director,
Mr.Bhupinder Singh Chadha
3. Bupinder Singh Chadha,
Managing Director
Jaico Automobiles
Engineering Co. Private Limited

4. Subash Kaul, Director,
Jaico Automobiles
Engineering Co. Private Limited

5. Charanjeet Singh Chadha, Director,
Jaico Automobiles
Engineering Co. Private Limited

... Respondents

Prayer:

Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the petition and order dated 09.02.2017 in I.A No.46 of 2016 in OS.NIL/2017 on the file of the District Judge, Krishnagiri.

For Petitioner : Mr.R.Rajarajan

ORDER

This Revision is directed against an order of the trial Court condoning the delay in representation of the plaintiff.

2. Though the delay was about 1012 days, the learned trial judge chose to condone the delay exercising his discretion. This Court had repeatedly held that the condone delay in representation is a matter between the Court and the plaintiff, and an order condoning the delay cannot be challenged by the defendant in the suit.

3. Despite the same, I have perused the reasons assigned in the affidavit filed in support of this application. I am also satisfied that the

delay has been properly explained by the plaintiff. Hence, I do not find any ground to interfere with the exercise of discretion by the learned Principal District Judge, Krishnagiri, in condoning the delay. The revision therefore fails and it is accordingly dismissed.

4. Mr.R.Rajarajan, learned counsel appearing for the petitioner would submit that the defendant/petitioner has also filed a written statement in the suit.

5. Considering the fact that the suit is of the year 2017 and it is a suit for recovery of money, the learned Principal District Judge, Krishnagiri is directed to dispose of the suit within a period of six months from the date of resumption of the physical hearing in the Courts at Krishnagiri. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes/No
Speaking order / Non Speaking order
vum

17.09.2020

R.SUBRAMANIAN, J.

vum

To

The Principal District Judge, Krishnagiri.



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