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

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Judgment delivered on: 08.06.2020

+ CM(M) 357/2020

MANINDER SINGH

..... Petitioner

versus

SWAROOP SINGH

.....Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Subhro Prokas Mukherjee, Advocate.

For the Respondent: Ms. Rajasree Ajay, Advocate.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

CM APPL.11983/2020 (exemption from filing certified copy of annexures, notarised affidavits, court fee and vakalatnama)

Exemption is allowed subject to all just exceptions. Petitioner shall file the duly attested affidavits and the court fees and vakalatnama within one week of the resumption of normal functioning of the court.

CM(M) 357/2020 & CM APPL.11982/2020 (stay)

1. The hearing was conducted through video conferencing.

2. Petitioner impugns order dated 29.02.2020, whereby, the Trial Court has directed that since the affidavit of admission/denial was not filed within 120 days, the documents filed by the plaintiff are deemed to have been admitted.

3. Learned counsel for the petitioner/defendant submits that there is some confusion in the order because, on the one hand, the Court records that the documents filed by the plaintiff are deemed to be admitted, yet the Court has fixed the matter for the parties to appear in person for admission/denial of documents and for the statements under Order 10 CPC.

4. Learned counsel for the respondent/plaintiff submits that in view of expeditious disposal of the suit, she has no objection in case one opportunity is granted to the petitioner/defendant to file affidavit of admission/denial of documents. She also submits that her client would also like to explore the possibility of settlement through the process of mediation.

5. Mr. Mukherjee, learned counsel appearing for the petitioner submits that he has no objection to the disputes being referred to mediation and he assures that he shall ensure that his client appears in mediation.

6. Accordingly, in view of the above, order dated 29.02.2020 is modified to the extent that the petitioner/defendant shall file an

affidavit of admission/denial of documents before the Trial Court within 10 days from today.

7. In view of the stand of the parties that they would like to explore the possibility of settlement through mediation, the disputes are referred to mediation. Parties shall appear before the Delhi High Court Mediation & Conciliation Centre through video conferencing on 20.06.2020 at 3 pm.

8. The report of the Delhi High Court Mediation & Conciliation Centre shall be filed before the concerned Trial Court.

9. Petition is, accordingly, disposed of in the above terms.

10. Copy of the judgment be uploaded on the High Court website and be also forwarded to learned counsels through email.

JUNE 08, 2020
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SANJEEV SACHDEVA, J