

A.No.1212 of 2021
in
C.S.No.322 of 2021

G.JAYACHANDRAN, J.

Heard the learned counsel for the applicant. This application is filed by the 1st defendant to condone the delay of 27 days in filing the written statement.

2. The defendant was supposed to file a written statement within 30 days from the date of receipt of the suit summon. But, he could not file the written statement within the time prescribed for the below reason as stated in the affidavit:

“5.I am further advised to state that in view of the order of the Hon'ble Supreme Court of India dated 23.03.2020 in Suo-Motu writ petition (Civil) No.3 of 2020, the limitation periods prescribed under the general law or Special Laws (whether condonable or not) stood extended from 15th March 2020 till further orders, in light of the Covid-19 Pandemic. I am also advised to state that the said order continues to be in force, and as such, the filing of the written statement is within time in light of the above order. However, by way of abundant caution, I am filing the

present application. In any case, the period of delay in the present case is condonable under the Commercial Courts Act, 2015 and since the delay has occasioned on account of the aforesaid bona fide reasons, I pray that this Hon'ble Court may be pleased to allow the same.”

3. The plaintiff taking advantage of the order passed by the Hon'ble Supreme Court in Suo-Motu writ petition (Civil) No.3 of 2020 prays to condone the delay of 27 days. To afford an opportunity to the defendant to agitate the case on merit and taking note of the reasons stated for the delay, the delay of 27 days is condoned subject to the payment of Rs.10,000/- to the plaintiff on or before 15.05.2021.

5. Post the main suit on 16.06.2021.

rpl

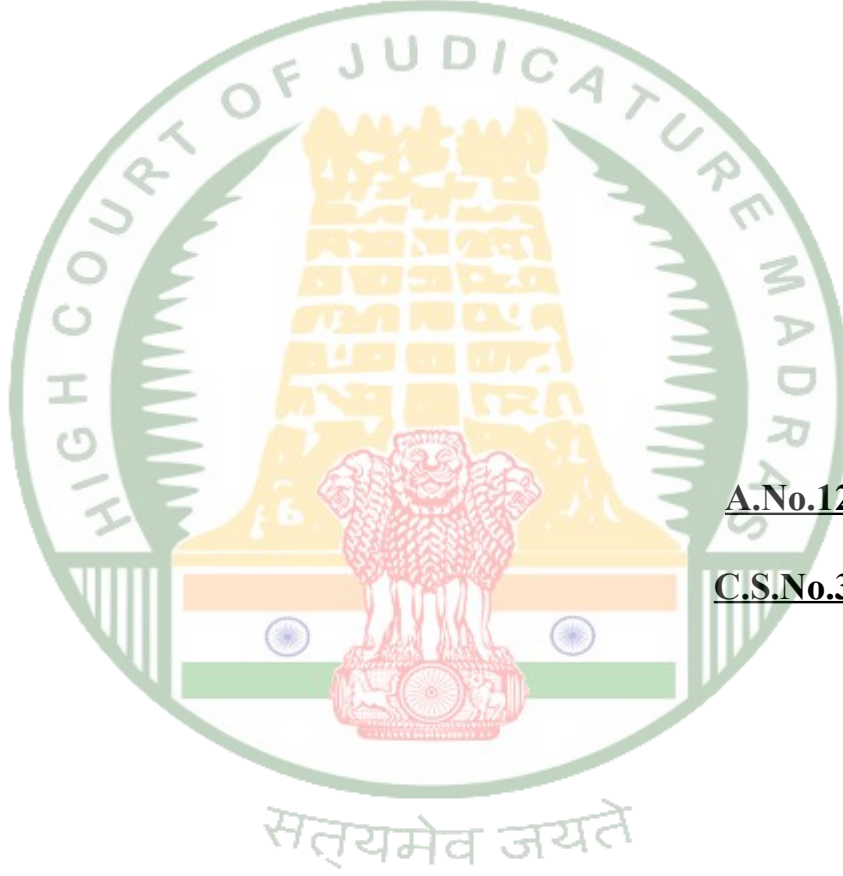
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