

A.No.2959 of 2021
in
C.S. No.96 of 2021

DR.G.JAYACHANDRAN, J.

This application is filed to condone the delay of 81 days in filing the written statement.

2. The suit summon was served on the defendant on 30.03.2021. The defendant is supposed to file the written statement within 30 days from the date of receipt of the suit summons. However, the written statement is filed only on 19.07.2021 with the delay of 81 days. As per the amended provisions of C.P.C., under the Commercial Courts Act, the upper time limit to file the written statement is 120 (30 + 90) days.

3. In the affidavit filed along with this application, the defendant has quoted the COVID-19 Pandemic situation and the Hon'ble Supreme Court *suo motu* order in Writ Petition No.3 of 2020 and also stated that being a foreign Company situated at Liberia, the representative of the defendant company is at Mumbai was one of the reason for delay in filing the written statement within the limitation prescribed under statute.

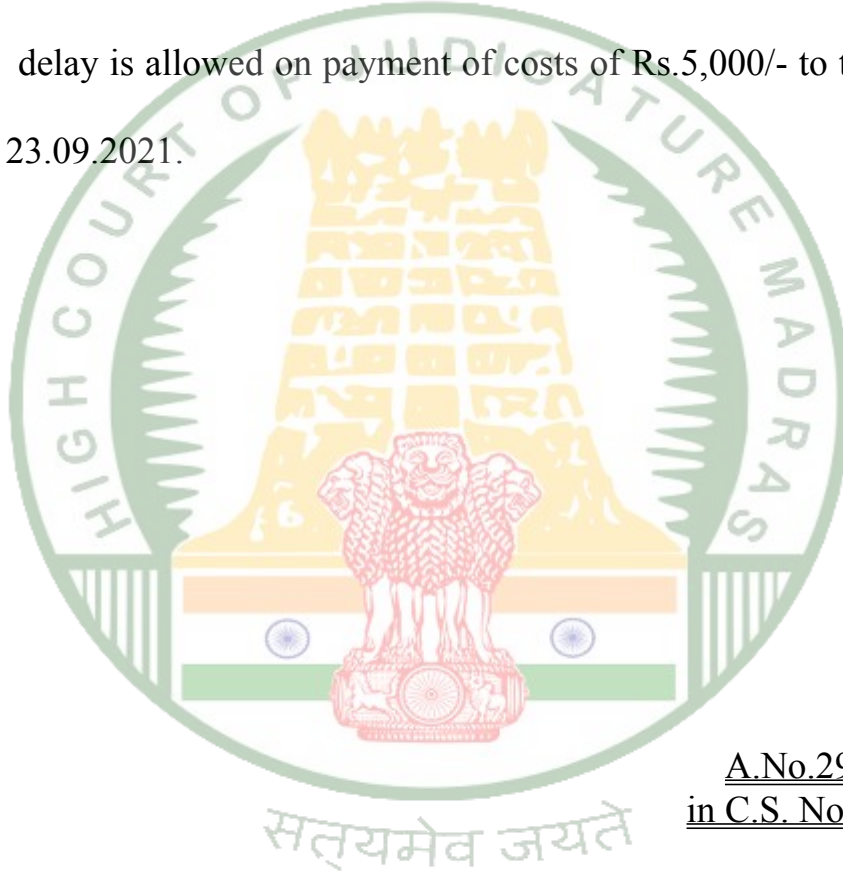
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dk/rpl

4. Considering the reasons stated in the affidavit for delay and to give a fair opportunity to the defendant to contest the matter, the application to condone the delay is allowed on payment of costs of Rs.5,000/- to the plaintiff on or before 23.09.2021.

03.09.2021

dk/rpl



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in C.S. No.96 of 2020

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