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A.No.4854 of 2021
in C.S.(Comm.Div.)No.16 of 2021

N.ANAND VENKATESH,J.

This application has been filed by the defendants to condone the delay of 88 days in filing the written statement along with the counter claim.

2.Heard the learned counsel for the applicants/defendants and the learned counsel appearing on behalf of the respondent/plaintiff.

3.It is seen from records that the summons was served on the applicant on 24.07.2021. The written statement has to be filed within 30 days and the maximum condonable period is 120 days. However, by virtue of the orders passed by the Hon'ble Supreme Court in Miscellaneous Application No.665 of 2021, the Hon'ble Supreme Court has granted a period of 90 days from 03.10.2021 in all cases as a period of limitation. Therefore, considering the order passed by the Hon'ble Supreme Court, there may not be any delay in filing the written statement, since the written statement has been filed on 18.11.2021. This application has been filed only out of abundant caution.



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Ssr

4.In view of the above, this application is allowed and the written statement along with the counter claim is taken on file. Considering the facts and circumstances of the case, there will be no order as to costs.

05.01.2022

SSr

(1/3)

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