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A.No.598 of 2023

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in
C.S.(Comm.Div).No.166 of 2022

C.SARAVANAN, J.

The present application has been filed by the applicants/ defendants to condone the delay of 94 days in filing the Written statement along with the counter claim. The Suit summons were served on the defendants 1, 2, 3, 6 & 7 on 01.09.2022. The 120th day as envisaged for filing the Written statement expired on 31.12.2022. Since, the Court was closed due to Winter vacation, the written statement along with the counter claim was to be filed by the defendants on the date of re-opening of the Court viz., 02.01.2023. The Written Statement was filed on **02.01.2023**.

2. The above said written statement along with the counter claim of the 1st defendant has been adapted by all the other defendants and they have also filed a Memo adopting the same. The 4th and 5th defendants are not from Chennai and are permanent residents of Singapore. They have now entered appearance through the same counsel.

3. Considering the fact that the 1st defendant has filed the Written



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Statement along with the counter claim on the 1st day after the Winter

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Court vacation i.e., on 02.01.2022, I am satisfied with the reasons stated in the affidavit filed in support of this Application to condone the delay. Accordingly, the Court is inclined to condone the delay of 94 days in filing the Written statement along with the counter claim. Accordingly, this Application is ordered and the written statement filed by the 1st defendant along with the counter claim, which has been adapted by the other defendants is taken on the file.

4. The respondent/plaintiff is directed to file the reply statement within a period of thirty days from the date of hosting of copy of this order in the Court website.

03.02.2023

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