



WEB COPY



A.No.181 of 2023
and A.No.5114 of 2022
in C.S.No.228 of 2014

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N.SESHASAYEE.J.

Learned counsel for the defendant made a fervent plea to modify the cost imposed by this Court.

2.The list of grievances and the reasons for interfering with the earlier order of this Court dated 14.12.2022 is long, but the fact remains that the written statement has not been filed for close to 10 years. This delay cannot go unaccounted. It might be that the matter may have been referred to Mediation or Lok Adalat, but that does not imply that the defendant can procrastinate its obligation to file the written statement indefinitely. The defendant ought to understand that what is generally goes by the term judicial delay, on many occasions but a euphemism to cover the litigants' indifference. Sadly, in our system, the indifference of the litigant goes unaccounted and the Courts carry the cross for the sin of the litigant.

N.SESHASAYEE.J.



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3.However, taking into consideration the totality of the circumstances, this Court reduces the cost from Rs.50,000/- to Rs.25,000/-. The entire cost of Rs.25,000/- (Rupees twenty five thousand only) shall go to the plaintiff. The condition is required to be complied on or before 31.01.2023. Application filed in A.No.181 of 2023 stands allowed accordingly.

4.Post the matter on 03.02.2023 under the caption "for reporting compliance".

19.01.2023

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