



WEB COPY



A.No. 5090 of 2023
in
C.S. (Comm Div) No. 9 of 2021

P.T.ASHA, J.

The above application is filed to condone the delay of 901 days in filing the written statement in C.S.(Comm Div). No.9 of 2021. Since the delay is beyond 90 days and in the light of the Judgement of the Hon'ble Supreme Court in ***2019 (12) SCC 210 – SCG Contracts (India) Pvt., Ltd., Vs. K. S. Chamankar Infrastructure***, the application is dismissed.

2. It is seen that even prior to filing of this application, the defendant has been set ex parte. However, the defendant is permitted to cross examine the plaintiff's witness and submit arguments. Post the matter, for filing case management schedule on 13.10.2023.

27.09.2023

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