



A.No.2052 of 2023
in C.S.No.763 of 2013

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R.N.MANJULA,J.

This application has been filed to condone the delay of 24 days in filing the written statement of the second defendant in the above suit.

2. The learned counsel for the respondents / plaintiffs submitted that even though the delay appears to be 24 days in filing the written statement, the applicant had not represented the written statement for nearly nine years and that itself caused huge delay of more than 3000 days.

3. The learned counsel for the applicant / second defendant submitted that the said delay in representation has already been condoned and what is now remaining is the delay in filing the written statement.

4. Even though the delay in representing the written statement has been allowed, the fact remains that due to unnecessary delay, the plaintiffs have suffered hardship in getting along with the matter and see whether the suit is progressed. Hence I feel that the application can be allowed on the condition that the applicant shall pay a sum of Rs.1,500/- as cost to the respondents / plaintiffs.



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5. At this juncture, the learned counsel for the applicant / second defendant paid a sum of Rs.1,500/- directly to the learned counsel for the respondents / plaintiffs who is present in the Court. The learned counsel for the respondents/ plaintiffs also acknowledges the same.

6. Since the cost is paid directly to the learned counsel for the respondent / plaintiffs, this application is allowed.

12.06.2023

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