



WEB COPY



A.No.7293 of 2018

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in

C.S.No.82 of 2006

C.SARAVANAN, J.

This application has been filed by the 8th defendant to condone the delay of 4562 days in filing the written statement. The suit is of the year 2006. The suit summons was served on the 8th defendant on 07.03.2006 even as per the affidavit filed in support of the above application for condoning the delay of 4562 days in filing the written statement. The 8th defendant had also entered appearance on 28.03.2006. However, the written statement was not filed in time. The only reason for not filing the written statement in accordance with the provisions of Original Side Rules, as it applied then is that the suit summons was not served in Form 9 of the Original Side Rules. The above reasons given in the affidavit for condoning the delay cannot be accepted. The present suit was transferred to this Commercial Division in the year 2018. Even after the present suit was transferred to the Commercial Division, the 8th defendant did not take steps for filing the written statement by seeking leave of this Court to file the same in time, after the jurisdiction of this Court Commercial Division was determined.



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2. Therefore, there is no merits in the application for condoning the delay in filing the written statement. Accordingly, the application is dismissed.

23.02.2023
(½)

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