



WEB COPY



A.No.2478 of 2024
in C.S.No.205 of 2022

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C.V.KARTHIKEYAN,J.

The Application has been filed seeking to condone the delay of 330 days in filing the written statement. In the affidavit filed in support of the application, it had been stated that there was a possibility of settlement of the issues and the applicant/defendant was under the bonafide impression that the plaintiff would accept the principal amount. But the talk for settlement failed, necessitating the applicant to file the written statement. There has been a delay of 330 days.

2. Heard the learned counsel for the plaintiff also.

3. A perusal of the record shows that the suit had been filed seeking recovery of a sum of Rs.1,35,75,000/- together with interest at the rate of 18% p.a. from the date of plaint till the date of full realization and for further relief. Taking into consideration that it would only be



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appropriate that the defendant is permitted to contest the matter on merits, the application stands allowed and delay is condoned. However, since by this delay of nearly about one year, the plaintiff would stand to lose if at all there is a decree in the suit, when the decree is drafted, the plaintiff would be entitled to one additional percentage of interest for a period of one year from whatever rate of interest the suit is decreed.

04.06.2024

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