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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% ***Date of Decision: 3rd April, 2025***

+ **CM(M) 399/2025 & CM APPL. 12010/2025**

ANIL KUMAR AGGARWAL

.....Petitioner

Through: Mr. Vineet Aggarwal, Mr. Kunal, Mr.
Jatin & Mr. Bhavya, Advocates

versus

USHA GARG & ANR.

.....Respondent

Through: Mr. Abhimanyu Singla, Advocate
(Through VC)

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Point involved in the present petition is very short and precise.
2. It is second round of litigation.
3. Earlier also, the petitioner had filed a petition which was registered as CM(M) 680/2022. It was allowed *vide* order dated 03.04.2022 and by virtue of aforesaid order, learned Predecessor Bench had directed the petitioner (defendant Anil Kumar Agarwal) to file written statement within two weeks, subject to cost of Rs. 15,000/-.
4. According to said defendant Mr. Anil Kumar Aggarwal, on account of some unintentional calculation of the days, the written statement was filed before the learned Trial Court, *albeit*, with a delay of one day and keeping in mind the specific order of this Court, whereby period of only two weeks had been given, the learned Trial Court has declined to take such written statement on record.
5. This Court has gone through such order dated 18.12.2024.



6. Learned counsel for respondent/plaintiff appears on advance notice and submits that delay was not of one day but it was rather of two days.
7. Be that as it may, keeping in mind the overall facts and circumstances of the case and the fact that petitioner herein had already been permitted to file written statement and the same has been filed with delay of a day or two only, the present petition is allowed with direction that such written statement be taken on record. This Court, however, expects that defendant shall be careful in future and would also render his best assistance and co-operation to the learned Trial Court so that the suit in question is disposed of as expeditiously as possible.
8. The present petition, along with all the pending applications, stands disposed of in the aforesaid terms.

(MANOJ JAIN)
JUDGE

APRIL 3, 2025 /dr/SS