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

+ **CM(M) 4119/2024**

PRAVEEN GULATI

.....Petitioner

Through: Ms. Manasi Bhushan, Ms. Sanjana
Patel, Ms. Shashi Sharma, Ms. Hanna
Shirin, Mr. Mohammed Navas K &
Mr. Akshit Chaudhary, Advs

versus

JYOTSNA ASHRA AND ANR.

.....Respondents

Through: Ms. Jasmine Detwani, Ms. Hemlata,
Advs alongwith respondent No.1 in
person.
Ms. Avni Singh, Panel Counsel with
Mr. Gourav Mundra, Adv GNCTD/R-
2.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

04.02.2025

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1. In this present petition the main grievance of the petitioner is that written statement filed by the respondents was taken on record beyond the statutory period of 90 days without application for condonation of delay having been filed by the respondents.
2. Undisputedly no application was filed by the respondents for condonation of delay. However, learned counsel for the respondents submits that the written statement could not be filed within the statutory period because of the reason that the complete set of documents was not



received.

3. The contention of respondent is contrary to the record. The trial court's orders do not reflect that any such submission was made.

4. Be that as it may, the statutory period prescribed for filing the written statement is not mandatory but directory in nature.

5. The Learned counsel for the petitioner fairly states that she has no objection in case written statement be allowed to be taken on record subject to heavy cost.

6. Keeping in view the entire facts and circumstances and the fact that the period prescribed for filing the written statement is only directory in nature and taking note of the concession granted by the petitioner, petition is disposed of with directions that the written statement be taken on record, subject to cost of Rs 10,000/- to be paid by the respondents to the petitioner before the Trial Court on the next date of hearing.

RAVINDER DUDEJA, J

FEBRUARY 4, 2025

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