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

\# **CNR No. DLHC010789942025**

\+ CM(M) 2003/2025 & CM APPL. 64824/2025

RENUKA DANG .....Petitioner

Through: Mr. Arun Kumar Verma, Adv.

versus

SAURABH SINGHAL & ORS. .....Respondents

Through: R-1 in person
Mr. Rajender Singh, Adv. for R-2 to 4

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\# **CNR No. DLHC010831582025**

\+ CM(M) 2061/2025 & CM APPL. 67217/2025

RENUKA DANG .....Petitioner

Through: Mr. Arun Kumar Verma, Adv.

versus

SAURABH SINGHAL & ORS. .....Respondents

Through: R-1 in person
Mr. Rajender Singh, Adv. for R-2 to 4

CORAM:
HON'BLE MR. JUSTICE AJAY DIGPAUL

O R D E R

% 27.10.2026

1. Through the present petitions, the petitioner seeks to assail the order dated 17.01.2025 whereby the learned trial court closed the right of the petitioner/defendant no. 2 to file his written statement.

2. The brief facts of the present cases are as follows –

3. The respondents/plaintiffs filed their respective suits against the

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petitioner/defendant no.2 seeking declaration and cancellation of sale deed along with other consequential reliefs. The petitioner has stated that summons were received by her on 09.09.2024.

4. On 14.11.2024, at the request of the petitioner, the learned trial court discharged the erstwhile advocate for the petitioner, and directed the parties to file their written statements.

5. On 17.01.2025, the learned trial court noted that the written statement had not been filed by the petitioner within the statutory time limit, and thus, closed the right of the petitioner to file a written statement. The petitioner filed an application dated 11.03.2025 seeking review of the order dated 17.01.2025, which was dismissed *vide* order dated 09.05.2025.

6. Meanwhile, the respondent filed an application under Order VI Rule 17 CPC seeking to amend and include an additional prayer for grant of pre-emptive right in favour of the respondent. The said application was allowed and the petitioner was directed to file a written statement to the amended plaint. The same has been stated to have been filed and taken on record.

7. The petitioner approached this Court *vide CM(M) 1521/2025* seeking to challenge the dismissal of the review order dated 09.05.2025, however, the challenge was withdrawn by the petitioner on 10.09.2025.

8. Aggrieved by closure of the petitioner's right to file written statement, the petitioner has challenged the order dated 17.01.2025 before this Court.

9. The learned counsel for the petitioner has submitted that the right to file a written statement is an invaluable right and the same ought not to be foreclosed summarily. He has also submitted that the petitioner is a home maker, with no legal knowledge, and was thus, unaware of the fact that her erstwhile advocates had not filed the written statement within time.

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10. To this effect, he has also relied on the orders passed after 14.11.2024 to submit that the petitioner was constrained to change her advocates twice, and that she has also filed complaints against them before the Bar Council of Delhi. He has submitted that a litigant cannot be made to suffer for the faults of their lawyer, and has thus prayed that keeping in mind the circumstances and that the litigant was not at fault, a lenient view be taken.

11. The respondent who appears in person has consented to the written statement being taken on record, subject to imposition of reasonable terms.

12. It is well settled that procedure is the handmaiden of justice and that procedural infirmities ought not to curtail the substantive rights of litigants, especially when they have showcased their bonafides.

13. In view of the statement by the respondent who appears in person, the order dated 17.01.2025 is set aside and the learned trial court is directed to take on record the written statement of the petitioner, subject to payment of Rs. 25,000 each in both the cases, payable to the respondent within 5 days from today.

14. Accordingly, the present petitions are allowed and disposed of. Pending applications, if any, are also disposed of.

AJAY DIGPAUL, J

OCTOBER 27, 2026/*pd/sg*

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