



2026:DHC:4762



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

Date of Decision :26th May, 2026

+ **CM(M) 3977/2024 & CM APPL. 70633/2024**

AZAB SINGH

.....Petitioner

Through: **Mr. Atin Handuja, Advocate (Through VC).**

versus

SHREE SHYAM ESTATE DEVELOPERS

.....Respondent

Through: **Mr. Mandeep Kumar Sharma and
Ms. Poonam Sharma, Advocates.**

CORAM:

HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA

ORDER (Oral)

Rajneesh Kumar Gupta, J.

1. This hearing has been conducted through hybrid mode.
2. The present petition has been filed by the petitioner/defendant under Article 227 of the Constitution of India, 1950, assailing the orders dated 16th October, 2024 passed by the learned Trial Court in CS DJ 403/2023, whereby the right of the petitioner/defendant to file his written statement has been closed.
3. Heard. Record perused.
4. At the outset, learned Counsel for the respondent/plaintiff submits that the respondent has no objection if the present petition is allowed and the written statement filed by the petitioner is taken on record, however, it should be subject to payment of exemplary costs.
5. Learned counsel for the petitioner submitted that the written statement



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has already been filed within a period of 120 days from the date of service. It is further submitted that in case the written statement is not taken on record, grave prejudice shall be caused to the case of the petitioner.

6. Keeping in view the facts and circumstances of the case and stand taken by the respondent, this Court is of the opinion that it would be in the interest of justice if the written statement filed on behalf of the petitioner be taken on record. Accordingly, the written statement filed by the petitioner is taken on record, subject to the payment of costs of Rs. 15,000/- to the respondent before the learned Trial Court.

7. The present petition is disposed of in the above-stated terms. Pending application(s), if any, also stands disposed of.

RAJNEESH KUMAR GUPTA, J

MAY 26, 2026/nd/ik