

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

AMIT BANSAL & ORS.Plaintiffs

Through: Mr. Rajeev Saxena, Sr. Adv. with Ms.
Megha Saxena, Ms. Shaurya Dahiya,
Ms. Shreya Bhatnagar, Advs.

CHARU GOYAL & ANR.Defendants

Through: Mr. I. Khan, Adv.

CORAM:
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **09.04.2025**

I.A. 43689/2024

1. This application has filed by the plaintiffs under Order VIII Rule 1 read with Section 151 of the Code of Civil Procedure, 1908 ('CPC') seeking condonation of delay of 49 days in filing the written statement to the counter-claim filed by the defendants.
2. Learned counsel for the defendant states that the application may be allowed, subject to the payment of cost.
3. In view of the fact that the written statement has been filed within 120 days, for the reasons stated in the application, the delay is condoned, however subject to the plaintiffs depositing costs of Rs.7,500/- with the learned counsel for the defendants.
4. With the aforesaid direction the application is disposed of.
5. Subject to payment of costs, the written statement is taken on record.

Page 1 of 3



I.A. 8331/2025

6. This application has been filed by the defendants under Section 151 of CPC, seeking a direction that the affidavit of admission/denial of documents filed by plaintiff No.1 be struck off.

7. Learned counsel for the applicants/defendants states that the remarks filled by plaintiff no.1 in the affidavit of admission/denial of documents in the last columns vis-à-vis document Nos.1, 2, 6, 7, 8, 9, 10, 11, 12, 14, 17, 21, 22, 24 and 30 reads as '*denied being illegible*'. He states that such remarks cannot withstand legal scrutiny.

8. Issue notice.

9. Learned counsel for the plaintiff No.1 accepts the notice. He fairly concedes that the words '*being illegible*' are not justified. He states that the Court may direct that the said words are deemed to have been struck off.

10. It is accordingly directed that the words '*being illegible*' as mentioned in plaintiff no. 1's affidavit of admission/denial of documents shall be deemed to have been deleted, and the documents at Serial Nos.1, 2, 6, 12, 14, 17, 21, 22, 24 and 30 shall be recorded as 'denied' on behalf of the plaintiff No.1.

11. With aforesaid directions, the application stands disposed of.

I.A. 10667/2022

12. Learned senior counsel for the plaintiff states that he is not pressing this application.

13. Accordingly, the application stands disposed of.

CS(OS) 401/2022

14. The plaintiff and the counter-claimant are directed to file the affidavit



of admission/denial of documents within four (4) weeks.

15. List the matter before the learned Joint Registrar (Judicial) on **09.05.2025** for filing of affidavit of admission/denial of documents and marking of exhibits.

16. Learned Joint Registrar (J) is directed to place the matter before Court in August, 2025 for framing of issues.

MANMEET PRITAM SINGH ARORA, J

APRIL 9, 2025

Pallavi/akp