



2025:DHC:6591



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% **Date of Decision: 06th August, 2025**

+ CM(M) 1424/2025 & CM APPL. 46890-46891/2025

M/S THE DAFFODILS AND ANR.

.....Petitioner

Through: Mr. Govind Rishi with Ms. Samiksha
Sakshi, Advocates.

versus

MANOJ AGGARWAL

.....Respondent

Through: Mr. Barun Dey with Mr. Alok Ranjan
Jha and Mr. VinayKaushik, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner is defending a suit which is commercial in nature and is aggrieved by order dated 21.07.2025 passed by learned Trial Court whereby his written statement has been taken off the record.
2. Learned counsel for respondent/plaintiff appears on advance notice.
3. Admittedly, the defendant was served with the summons on 29.12.2024 and filed written statement on 01.03.2025. Thus, the initial filing of written statement is within the outer permissible limit.
4. When the matter was taken up by learned Trial Court on subsequent date, it directed the defendant to remove inadvertent mistakes which had crept in the written statement and granted time of one week to cure the same.
5. The defects were cured and the written statement was filed, *albeit*, not within the abovesaid time-line of one week.
6. Learned counsel for respondent/plaintiff submits that he does not want any further delay in the abovesaid suit and would have no objection if the petition is allowed and written statement is directed to be taken on record.



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7. He, however, submits that the petitioner be burdened with exemplary cost.
8. The suit in question seeks recovery of approximately Rs. 5,00,000/-.
9. Keeping in mind the facts of the case and the gracious concession given by the learned counsel for the respondent/plaintiff, the present petition is allowed with direction that the re-filed written statement shall be deemed to be on record.
10. However, for belated re-filing, the petitioner is burdened with cost of Rs. 25,000/- which shall be paid to the plaintiff before the learned Trial Court on the next date of hearing which is stated to be 10.10.2025.
11. Petition stands disposed of in aforesaid terms.
12. Pending applications also stand disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

AUGUST 6, 2025/sw/SHS