



2025:DHC:6662



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

% *Date of Decision: 07<sup>th</sup> August, 2025*

+ CM(M) 185/2022  
RENUKA KULKARNI

.....Petitioner

Through: None.

Versus

VISHWENDRA SINGH & ORS.

.....Respondent

Through: Mr. Satya Prakash Yadav, Advocate.

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ JAIN**

**J U D G M E N T (oral)**

**CM(M) 185/2022 & CM APPL. 48375/2025 (seeking disposal of petition)**

1. The next date in the present petition is 18.09.2025.
2. However, in the interregnum, one application under Section 151 CPC has been filed by the respondent whereby, without prejudice to their rights and contentions, they have given their “*no objection*” if the written statement of petitioner herein is directed to be taken on record.
3. Petitioner herein is defending a suit which is commercial in nature.
4. In such suit, she has been arrayed as defendant No.8.
5. By virtue of impugned order dated 17.12.2021, her right to file written statement has been closed.
6. Admittedly, after filing of the suit, the plaintiff had sought amendment in the plaint and his amended plaint was taken on record on 07.10.2021.
7. Thereafter, there was appearance from the side of defendant No.2



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before the learned Trial Court for the first time on 17.12.2021 and on the same day, the right of defendant No.8, as well as of some others, to file written statement was closed.

8. Apparently, the right to file written statement has been closed on the first date itself and within the outer permissible limit of 120 days.

9. Since the plaintiff had sought amendment in the plaint, the period for the purposes of reckoning of limitation would commence only from the date when the copy of such amended plaint is supplied to its adversary.

10. While acknowledging the above legal and factual position, learned counsel for respondent, without prejudice to his rights and contentions, submits that he would have no objection if the present petition is allowed.

11. He, however, submits that let there be some direction to petitioner to file his written statement in a time-bound manner.

12. In view of the above, the present petition is hereby allowed with the direction that petitioner herein i.e. defendant No.8 would file written statement within four weeks from the date when the learned Trial Court takes up the matter, next. Learned Trial Court shall also intimate her about the order. This is because of the fact that there is no representation from her side today and when her counsel was contacted telephonically, he claimed that he was no longer representing her..

13. It is also noticed that when the present petition was taken up by this Court for the first time on 25.02.2022, this Court had directed the petitioner to deposit a sum of Rs.15,000/- with the Registry of this Court, for approaching this Court belatedly.

14. The abovesaid cost of Rs.15,000/- is, hereby, permitted to be withdrawn by the respondent.



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15. The petition stands disposed of in aforesaid terms.
16. Pending application stand disposed of in aforesaid terms.
17. The next date i.e. 18.09.2025 is cancelled.
18. Registry is directed to send copy of this order to petitioner and her counsel.

**(MANOJ JAIN)**  
**JUDGE**

**AUGUST 7, 2025/ss/shs**