



2025:DHC:6007



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

% *Date of Decision: 22nd July, 2025*

+ CM(M) 1313/2025 & CM APPL. 43473-43474/2025
USHA SHRIRAM ENTERPRISE PVT LTD & ANR.

.....Petitioner

Through: Mr. Ananeya Mishra and Mr. Nidish
Gupta, Advocates.

versus

AJEET SINGH

.....Respondent

Through: Mr. Lav Kumar Aggarwal, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner is defending a suit for recovery.
2. The suit in question has been filed by Mr. Ajeet Singh (respondent herein) who is a practicing advocate and seeks his dues towards retainership fee which, according to him, have not been paid to him, despite the agreed terms.
3. The point involved in the present petition is a very short one.
4. Summons were served upon defendants on 15.05.2025, and they did not file any written statement within the initial stipulated period of 30 days.
5. When the matter was taken up on 03.07.2025, noticing that there was no written statement from the side of defendants, their right to file written statement was closed and the case was, resultantly, fixed for plaintiff's evidence.
6. Such order is under challenge.
7. Learned counsel for petitioners (defendants before the learned Trial Court) submits that defendants wanted to upload written statement on



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02.07.2025 but the website was under maintenance and, therefore, they could not file the same.

8. Learned counsel for petitioner also tenders his apology for not presenting correct facts in this regard before the learned Trial Court on 03.07.2025 as, when the matter was taken up by the learned Trial Court on said date, it was stated from their side that the written statement had been already filed but not being reflected on *Case Information System* (CIS).

9. Learned counsel for respondent/plaintiff has joined the proceedings through *video conferencing* on advance notice.

10. He submits that no indulgence should be given to the petitioners as they made a wrong statement before the learned Trial Court on 03.07.2025.

11. However, after hearing arguments for some time, he submitted that he would have no objection to their participation, if they are burdened with exemplary cost.

12. The suit in question seeks recovery of approximately Rs. 5,00,000/-.

13. It is also informed that the written statement has already been filed on CIS on 03.07.2025 and the advance copy has also been supplied to learned counsel for the plaintiff. Such fact is not disputed by opposite counsel, either.

14. In view of the above and keeping in mind the overall facts of the case, the present petition is disposed of with direction that such written statement shall be deemed to be on record. Learned Trial Court is, accordingly, requested to proceed further with the matter in accordance with law.

15. Simultaneously, for causing delay in the matter, the petitioners are burdened with cost of Rs. 25,000/- which be paid to plaintiff on or before the next date of hearing before the learned Trial Court.

16. No request for extension of time for payment of cost will be



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entertained.

17. It is also clarified that, if the cost is not paid within the abovesaid time, learned Trial Court would be at liberty to proceed further with the matter in terms of impugned order.

18. Petition stands disposed of in aforesaid terms.

19. Pending applications stand disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

JULY 22, 2025/sw/PB