

01.12.2022

Present: Plaintiff in person.

As per the report of the process server, defendant has been served but none is present on behalf of the defendant.

Be awaited for the defendant.

(Raj Kumar)
ADJ-02/ North/ Rohini Court
Delhi/01.12.2022

At 11:18 AM.

Present: Sh. Anurag-Ld. Counsel for the plaintiff along with plaintiff in person.

Sh. Harshit Thakur-Ld. Counsel for the defendant who has filed on record vakalatnama along with an application u/s 12A of the Commercial Courts Act 2015. copy of the said application has been supplied to the ld. counsel for the plaintiff.

Ld. counsel for the plaintiff has pointed out that the present suit is a suit for recovery of Possession, Permanent Injunction, Damages and Mesne Profits. Ld. counsel for the plaintiff has vehemently argued that keeping in view the reliefs which have been sought for by the plaintiff in the present suit, the present suit is maintainable before this court.

During the course of arguments, ld. counsel for the defendant has agreed that the Commercial Courts Act is not applicable to the present suit.

In these circumstances, application filed by the defendant is hereby dismissed as withdrawn.

The defendant shall file written statement and reply to the injunction application of the plaintiff as well within a period of 15 days

from today with advance copy thereof to the opposite party.

Ld. counsel for the plaintiff argues that the defendant be restrained from creating any third party interest in the suit property till the next date. Ld. counsel for the defendant states that the defendant is ready to maintain the status quo with respect to the suit property till the next date.

As such, the defendant shall not create any third party interest in the suit property i.e. built up Industrial plot bearing no. Plot no. 67, Pocket A, Sector A, Sector 5, admeasuring 100 Sqm. DSIIDC, Bawana, Delhi-110039 till the next date.

Plaintiff may file replication by the next date with advance copy thereof to the opposite party.

At the joint request of both the parties, now to come up for completion of pleadings of the parties, admission/denial of documents and framing of issues on **09.03.2023**.

(Raj Kumar)
ADJ-02/ North/ Rohini Court
Delhi/01.12.2022