

18

CS (COMM.)27/21

**MS VENTAGE INTEGRATED SECURITY SOLUTION
PVT.LTD. Vs. MS SPARK TECHNOLOGIES PVT. LTD**

21.07.2022

**Present : Adv. Gaurav Sharma, Proxy for Adv. Kshitish
Bhardwaj, Counsel for the plaintiff.
Adv. Vivek Sharma, Counsel for the defendant.**

Proxy counsel for the plaintiff seeking pass over in the matter on the ground that arguing counsel is held up in the matter in Hon'ble Delhi Court. Passover is strongly opposed by the counsel for the defendant. It is submitted that these are delaying tactics and on the previous date also the counsel was not present.

On perusal of file, it is observed that on the last date, the same proxy counsel appeared, who has made request for pass over, which was declined and the matter was adjourned.

In the interest of justice, matter is passed over till 12'o clock and it is made clear that no further pass over or adjournment shall be granted for arguments on the application of the petitioner for condonation of delay.

**Santosh Snehi Mann
District Judge (Commercial Court)-01
Patiala House Court, New Delhi.
21.07.2022**

At 12.30 PM

Present : Advocate Kshitij Bhardwaj with Advocate Gaurav Singh, counsels for the petitioner.

Advocate Vivek Sharma, counsel for the respondent.

Arguments addressed by Advocate Gaurav Singh on the application under Section 5 of Limitation Act seeking condonation of delay.

During the counter arguments by the counsel for the respondent, one of the objections taken is about the authority of arguing counsel on the ground that there is no vakalatnama, authorizing him to argue.

On perusal of file, submission of Id. Counsel for the respondent is found correct, which is not disputed by Advocate Gaurav Singh as well as Advocate Kshitij Bhardwaj.

Since a formal objection has been taken with respect to the authority of the arguing counsel, Advocate Gaurav Singh has withdrawn from the proceedings and matter is argued on behalf of the petitioner by Advocate Kshitij Bhardwaj.

Put up for further arguments, if any otherwise for order on this application now on **23.07.2022**.

**Santosh Snehi Mann
District Judge (Commercial Court)-01
Patiala House Court, New Delhi.
21.07.2022**

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