

CS No. 3343/2016

M/s Techno Easycrrete Pvt Ltd Vs. M/s Sambu Singh etc.

30.05.2017

Present: Counsel for the plaintiff.

Counsel for the defendants no.1 & 2.

Heard on the point of maintainability of the suit because in this case, the partnership allegedly consisted of two partners, out of which, admittedly, one has expired.

In view of the judgments of the Hon'ble Gujrat High Court reported as AIR 1970 Gujrat, Hon'ble Patna High Court reported as AIR 1973 Patna 441 and the Hon'ble Supreme Court reported as (1996) 8 AD (SC) 562, the suit is prima facie maintainable.

This order is subject to the decision of the suit on the merits of the case and it shall not effect the merits of the case.

Let the present suit be assigned to Sh. Vipin Kumar Rai, Ld. ADJ (East), for the disposal in accordance with law.

Ahlmad is directed to send the record of this case complete in all respect to the said transferee Court.

Parties are directed to appear before the said transferee Court on 01.06.2017 at 10.00 am.

(Rakesh Tewari)
District & Sessions Judge, East
KKD Courts, Delhi/30.05.2017