

CS 84/23

MEHBOOB ALI Vs. SHAKIR

11.08.2023

Pr.: Sh. Javed Khan and Suhail Azhar, Ld. Counsels for the plaintiff.

Sh. Imran Ahmed, Ld. Counsel for the defendant.

Ld. Counsel for the respondent has submitted that present suit is not maintainable under Order XXXVII CPC, as the plaintiff is claiming pre-instituted interest in the cheque, which is not covered in the written contract.

Ld. Counsel for the plaintiff submits that on the maintainability of suit, he was not prepared with the arguments, therefore, he seeks adjournment.

At request, the matter is adjourned to **11.09.2023** for arguments on maintainability of suit under Order XXXVII CPC.

(Shail Jain)  
Principal District & Sessions Judge,  
East District, KKD Courts, Delhi.  
11.08.2023