

CS No. 56703/16

Atma Ram Builders Pvt. Ltd. Vs. M/s. Embassy Restaurant & Anr.

03.12.2018

Present: Ld. Counsel for the plaintiff.

None for the defendant.

It is submitted by Ld. Counsel for the plaintiff that application under Order 7 Rule 11 CPC filed by defendant is based on the judgment of Hon'ble High Court titled as Association of Concerned Citizens of New Delhi & Ors. Vs. NDMC where the impugned bylaws were strucked down as ultravirus. However, it is submitted that against the said judgment, SLP is pending before Hon'ble Supreme Court of India which was reserved for orders on 17.07.2018. It is submitted that till date orders on SLP is pending, hence it is requested that arguments under Order 7 Rule 11 CPC be deferred.

Heard Ld. Counsel for plaintiff and gone through the record as well as the order of Hon'ble Supreme Court dated 17.07.2018 filed on record.

In view of the grounds taken in the application under Order 7 Rule 11 CPC which is based on said judgment of Hon'ble High Court, I deem it appropriate to deffer the arguments on application under Order 7 Rule 11 CPC.

Put up for further proceedings on **18.03.2019**.

(TWINKLE WADHWA)
ADJ-03/PHC/NEW DELHI
03.12.2018

