

CS (COMM.) 536/21

**M/S Kohli One Housing And Development Pvt Ltd Vs. M/S
Saluja Construction Company Ltd**

10.04.2023

Present : Sh.Divyansh Singh, Ld. Counsel for the plaintiff.

None for the defendant.

Be awaited for the defendant.

Put up at 12.00noon.

**Anurag Sain
District Judge (Commercial Court)-01
Patiala House Court, New Delhi.
10.04.2023**

12.00noon.

Present : Sh.Divyansh Singh, Ld. Counsel for the plaintiff.

None for the defendant.

Be awaited for the defendant.

Put up at 2.00pm.

**Anurag Sain
District Judge (Commercial Court)-01
Patiala House Court, New Delhi.
10.04.2023**

2.00pm.

Present : Sh.Divyansh Singh, Ld. Counsel for the plaintiff.

**Sh. Himanshu Nagar, Proxy Counsel for the
defendant.**

Today the matter is listed for framing of issues.

The matter is pending since morning. None appeared
for the defendant despite calls since morning. Now the proxy

counsel for the defendant appeared. The court is not happy with conduct of the defendant the way defendant is pursuing the matter. Even none has appeared for the defendant on the last date of hearing also.

Considering the facts and circumstances of the matter and on seeing the conduct of the defendant, cost of Rs.10,000/- is imposed upon the defendant to be paid to the plaintiff.

From the pleadings of the parties and material on record, following issues arise:

1. Whether plaintiff is entitled to recover the suit amount? OPP.
2. Whether plaintiff is entitled for interest, if so on what rate and for which period? OPP.
3. Whether the plaintiff has not come to the court with clean hands? OPD.
4. Relief, if any?

No other issue is raised or pressed.

Both the parties are directed to file their list of witnesses within four weeks with advance copy to opposite party.

Case Management Hearing:

Heard on the case management hearing. Keeping in view the submissions, let following schedule for the trial of suit be drawn:-

A.	for plaintiff's evidence. (Advance copy of the Affidavits of witnesses be supplied to the opposite party at least one week prior to the date fixed).	13.07.2023 and 14.07.2023
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B.	for Defendant's evidence. (Advance copy of the Affidavits of witnesses be supplied to the opposite party at least one week prior to the date fixed).	23.08.2023 and 24.08.2023.
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Put up this matter for Plaintiff's evidence on
13.07.2023.

Anurag Sain
District Judge (Commercial Court)-01
Patiala House Court, New Delhi.
10.04.2023