

CS DJ 230/2016 8802/16

ANIL KUMAR GUPTA Vs. AIR INDIA LTD AND ANOTHER

**03.02.2021**

Present: Paritosh Dhawan, Ld. Counsel for plaintiff.  
Ld. Counsel for defendant.

In compliance with the direction issued by the Hon'ble High court of Delhi, conveyed through Judl./Circular/F.43/South East/Saket/2020/1899-1975 dated 30.01.2021 wherein it has been directed that the court shall take up all the cases of the cause list through video conferencing mode, hence, the matter is taken up through video conferencing using Cisco Webex application.

Arguments concluded on the application u/O 7 R 11 CPC.

Vide my separate order of even date an application u/O 7 R 11 CPC filed on behalf of the defendant is here by dismissed.

Pleadings are completed.

From the pleadings of the parties, following issues are framed for adjudication: -

**1. *Whether the suit of the plaintiff is barred by law of limitation?***

***OPD.***

**2. *Whether the suit of the plaintiff is without any cause of action? OPD.***

**3. *Whether the suit of the plaintiff is not maintainable in law***

*and in facts? OPD.*

4. *Whether the suit of the plaintiff is barred under the Interest Act, 1978?OPD.*

5. *Whether the plaintiff has not approached the court with clean hands and has suppressed the material facts from the court? OPD.*

6. *Whether the plaintiff is entitled for a decree in favour of the plaintiff and against the defendant directing the defendant to pay a sum of Rs.52,63,688/- to the plaintiff towards the damages? OPP.*

7. *Whether the plaintiff is entitled for pendentlite and future interest @ 18% p.a. in favour of the plaintiff and against the defendant till realization? OPP.*

8. *Whether the plaintiff is entitled for the cost of the suit in favour of the plaintiff and against the defendant? OPP.*

9. *Relief.*

No other issue arises or pressed upon.

Be put up for PE on **10.05.2021**. Let affidavit of evidence in chief of plaintiff witnesses be filed within four weeks from today by serving an advance copy upon the defendants alongwith list of witnesses.

(Neelam Singh )  
ADJ-02/SE/Saket/New Delhi  
03.02.2021 (J)