

16 CS (COMM) 93/25

IDBI BANK LIMITED Vs. M/S SHREE SHYAM GARMENTS

25.05.2026

Present: Sh. Sachin Chaudhary, Ld. counsel for the plaintiff, who is appearing online on CISCO Webex on behalf of the plaintiff.

Sh. Rohit Kumar, Ld. counsel for the defendant no.2.

Sh. Ashish Passey, Ld. counsel for the defendant no.3, who is appearing online on CISCO Webex on behalf of the defendant no.3.

None for the defendant no.1. *Defendant no.1 has already been proceeded ex-parte.*

Affidavit of admission / denial of documents on behalf of the defendant no.2 stands already filed on record and copy thereof has already been received by the Ld. counsel for the plaintiff.

Ld. counsel for the plaintiff states that no document has been placed on record by the defendant no. 2 and therefore, affidavit of admission / denial of documents is not required to be filed by the plaintiff.

Replication to the WS of defendant no. 2 has already been filed on record by the plaintiff.

Ld. counsel for the plaintiff states that replication to the WS of defendant no. 3 is not required to be filed.

It is jointly submitted that the pleadings of the parties are complete and issues may be framed in the present matter.

Accordingly, from the pleadings of the parties, following issues are hereby framed:

1. Whether the suit of the plaintiff is within the period of limitation ? OPP
2. Whether the plaintiff has concealed the material facts from this Court, as stated by the defendant no. 2 in the preliminary objections of the WS of the defendant no.2 ? OPD2
3. Whether the suit of the plaintiff is bad for joinder of defendant no.3, as stated by the defendant no. 3 in the preliminary objections of the WS of the defendant no.3 ? OPD3
4. Whether the plaintiff is entitled for the recovery of the amount of Rs. 6,97,953.80/- together with interest, as prayed for by the plaintiff in the plaint ? OPP
5. Relief, if any.

No other issue arises or is pressed for.

List of witnesses, if any, be filed by all the parties within 15 days from today with advance copy thereof to the opposite party.

All the parties shall place on record their respective evidences by way of affidavits again with advance copy thereof to each other.

The matter shall be taken up for PE on the next date.

At the joint request of the Ld. counsels, now to come up for PE on **20.07.2026**.

RAJ KUMAR
District Judge (Commercial Court)-01,
(SW)-Dwarka Courts, Delhi
25.05.2026