

CS DJ 5842/18
RAMANAND CHAUDHARY
Vs.
AARGEE CONSTRUCTS PVT. LTD.AND ORS.

09.12.2022

Present: Sh. Raj Surana, Ld. Counsel for plaintiff.
Sh. Rajeev Kumar Tiwari, Ld. Counsel for defendant
alongwith AR of defendant.

Ld. Counsel for defendant seeks adjournment submitting that he is yet to be obtained the certified copy from the judicial record as the earlier counsel had not supplied the file.

This has been vehemently opposed by Ld. Counsel for plaintiff submitting that defendant has been seeking adjournment for last many dates.

Heard. Perused.

Perusal of record transpires that adjournment has been granted to the defendant on 26.11.2019, 15.09.2021 and 11.07.2022. The ground put forth for adjournment is not valid. It has been held by our own Hon'ble High Court and Hon'ble Supreme Court in various judgments that adjournment shall be granted sparingly and only when the situation is beyond the control of the litigant.

In these circumstances, adjournment is granted to the defendant subject to cost of Rs.3,000/- payable to the plaintiff on the NDOH.

Be listed for arguments on defendant's application under Order 7 Rule 11 CPC as well as on plaintiff's application under Order 12 Rule 6 CPC on **01.03.2023**.

(Saumya Chauhan)
ADJ-02/CENTRAL/THC
DELHI-09.12.2022