

15 CS (COMM) 447/24

Ivy Entertainment Private Limited Vs. Kajalben (Kinjalben)
Naginbhai Maheriya

24.03.2025

Present : Ms. Shivani Sharma, Ld. Counsel for Plaintiff.

Sh. Lal Jee Tiwari, Ld. Counsel for Defendant no. 1 has
appeared through VC.

None for Defendant no. 2.

Since pleadings of the parties in this case are complete,
hence, on the basis of pleadings, the following issues are framed for
determination:-

- (i) Whether the plaintiff is entitled to decree for permanent injunction, as prayed ? OPP.*
- (ii) Whether the plaintiff is entitled to decree for mandatory injunction, as prayed ? OPP.*
- (iii) Whether the Plaintiff is also entitled to claim any damages from the Defendant, if so, at what rate? OPP.*
- (iv) Whether the Plaintiff is entitled to specific performance of the contract entered between the parties ? OPP*
- (v) Whether the agreement between the parties is not enforceable as per the provisions of Indian Contract Act? OPD1.*
- (vi) Whether the Plaintiff has no locus-standi to file the present suit against the Defendant? OPD1.*

(vii) Relief.

No other issue arises or is pressed by the Ld. counsels appearing for their respective parties.

Case management hearing also conducted today. Case is now adjourned for PE on 28.05.2025. Copy of affidavit of witness be supplied to Defendant at least one week in advance before the next date of hearing thereafter matter shall be taken up for DE on 22.07.2025 with advance copy to Plaintiff at least one week before the next date of hearing and the date for final hearing shall be fixed with the mutual consent of the parties after conclusion of trial.

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(Lokesh Kumar Sharma)

**District Judge (Commercial Court)-05
South/Saket/New Delhi/24.03.2025**

At this stage at 11:20 AM:-

Present :- Ms. Pooja Sharma, Ld. Counsel for Defendant no. 2 has appeared through VC and has been apprised about the next date of hearing and stage of proceedings. Put up on date already fixed.

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(Lokesh Kumar Sharma)

**District Judge (Commercial Court)-05
South/Saket/New Delhi/24.03.2025**