

CS (COMM) 200/26

Sunrise International Vs. Prabhunath Pandey Proprietor of M/s  
Surayansh Enterprises

30.05.2026

Present. AR Satish of the plaintiff with Ld. counsels Sh. Saahil Mongia and Ms. Aditi Singhal.  
Sh. Manvendra Saraswat, Ld.proxy counsel for main counsel Ms. Bhawna Bhatnagar for the defendant.  
Heard. Perused.

As per report of Ahlmad, defendant had e-filed affidavit qua admission/denial of documents of the plaintiff and **an application under Section 151 CPC for waiver of cost (IA No.2/26)** on 13.05.2026. Hard copies thereof have been placed in judicial file today. Ld. counsels for the plaintiff have admitted that they have received the copies thereof.

No affidavit of Ms. Bhawna Bhatnagar, Ld. counsel for the defendant, in terms of previous order dated 21.04.2026, has been filed till date inspite of specific direction to e-file the same within one week from the date of order dated 06.05.2026. Ld. proxy counsel for the defendant has stated that he has no instructions on behalf of the said Counsel qua the same. From the conduct of said counsel, it is clear that the plea taken by said Counsel Ms. Bhawna Bhatnagar for defendant on 21.04.2026 was false and that is why she is shying away from filing the said affidavit. Ld. proxy counsel for the defendant has submitted that main counsel is not available to address arguments on the aforesaid application under Section 151 CPC for waiver of cost as she is in Pune. However it was open for the said Counsel to join the

hearing through VC and from the same and also from the past conduct of said counsel, it is clear that she is indulging in delaying tactics. **Hence considering the facts and circumstances, the application under Section 151 CPC for waiver of cost (IA No.2 /26) is dismissed, with further cost of Rs. 10,000/- to be paid by the defendant to the plaintiff for causing delay. The said application (IA No. 2/26) stands disposed of accordingly. The defendant shall pay the total cost of Rs. 45,000/- to the plaintiff positively before next date of hearing, failing which the defence of defendant shall be struck of.**

Ld. counsels for the plaintiff have submitted that replication to WS along with supporting affidavit, affidavit qua admission/denial of documents of the defendant and proof of service were e-filed today. Hard copies thereof have been placed in judicial file today. Ld. proxy counsel for the defendant has admitted that copies thereof have already been received.

Re-notify for admission/denial of documents, framing of issues and case management hearing on 13.07.2026.

**(Ashutosh Kumar)**  
**District Judge (Commercial Court)-01**  
**West, Tis Hazari Courts, Delhi/30.05.2026(a)**