

18 CS DJ 165/17

U.S. ENVIRON AND ANR. Vs. SPRINT EXIM PVT. LTD. AND ANR.

06.06.2025

Present: Sh. Vishal Saxena, Ld. Counsel for plaintiff (through VC)
Sh. Yogesh, Ld. Proxy Counsel for defendant (through VC)
Defendant no.2 & 3 are already dropped vide order dated 16.03.2017.

Today the matter is fixed for arguments on application under Order XII Rule 6 CPC.

Matter is pending for clarification on the application under Order XII Rule 6 CPC for last several months.

Clarifications received.

Put up for orders at 2 PM.

(Abhitosh Pratap Singh Rathore)
District Judge-04,
South District, Saket Courts, New Delhi
06.06.2025

At 2PM

Present: None.

ORDER

In the application moved on behalf of defendant, defendant has sought judgment on an admission, which as per him, was made by the plaintiff herein in the suit that is pending before Hon'ble High Court of Delhi. It is stated that plaintiff has admitted during his cross-examination that Rs.35 lakhs was deducted from its account in repayment of loan obtained by defendant of Rs.74 lakhs. It is submitted that present suit has been filed for same Rs.35 lakhs.

Plaintiff has denied the contents of the application.

Arguments heard. Record perused.

The statement of account filed by the plaintiff shows that an amount of Rs.35 lakhs were deducted on 31.03.2014 from the account of U.S. Environ whereas in the cross-examination the plaintiff herein has stated that a sum of Rs.35 lakhs was deducted on 31.03.2014 from the account of U.S Adcom.

It is evident that both the entries are different. Name of entities are also different. Mere coincidence with respect to both the dates and amount being same cannot lead this court to definite conclusion that both the transactions are same and the suit filed for a loan before this court is already subject matter of suit pending before Hon'ble High Court. Hence, this court finds no ground to entertain this application **Application is accordingly dismissed.**

List for further proceedings on **04.07.2025.**

(Abhitosh Pratap Singh Rathore)

District Judge-04,
South District, Saket Courts, New Delhi
06.06.2025