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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CM(M) 502/2023

AJAY JAIN & ANR.

..... Petitioners

Through: Mr. Mridul Jain and Ms. Ruby
Sharma, Advs.

versus

M/S MICRO9 MINECHAM INDUSTRIES

..... Respondent

Through: None

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

28.03.2023

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[The proceeding has been conducted through Hybrid mode]

CM APP No. 15083/2023 (Exemption)

1. Exemption is allowed, subject to all just exceptions.
2. Application stands disposed of.

CM(M) 502/2023 & CM APPL. 15084/2023 (Stay)

3. The petitioners challenge the order dated 25.02.2023 in CS (COMM) No.364/2022 titled '*M/s. Micro9 Minecham Industries Vs. Ajay Jain and Pradeep Garg*' whereby the learned Trial Court while adjudicated upon a commercial suit, has allowed the application of the respondent/plaintiff filed under Order VII Rule 14 CPC, 1908 seeking to place on record certain purchase orders.
4. Learned counsel appearing for the petitioner submits that the learned Trial Court has committed an error so far as the impugned order is concerned. In that, (i) there is no reason adverted to while



allowing the said application (ii) opportunity to oppose and file its reply to the said application was not accorded.

5. Issue notice. Upon petitioners taking steps within a week, notice may be served through all permissible modes. Additionally, through learned counsel appearing for the respondents before the learned Trial Court.

6. Reply, if any, be filed within four weeks. Rejoinder thereto, if any, be filed within four weeks thereafter.

7. In the meanwhile, learned Trial Court is requested to defer the proceedings stated to be listed on 01.04.2023 to a date beyond the date fixed by this Court.

8. List on 09.08.2023.

TUSHAR RAO GEDELA, J

MARCH 28, 2023/ms