



\$~S-16

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

+ **CS(COMM) 166/2019 & IAs. 4623/2019, 10609/2020 & 11461/2019**

M/S R K BARARIA

..... Plaintiff

Through Mr. Sanjeev Kumar Dubey, Senior
Advocate with Mr. Sanjay Bansal and
Mr. Raj Mangal Kumar, Advocates

versus

NANDI INFRATECH PRIVATE LIMITED

..... Defendant

Through Mr. Vinay Kumar Garg, Senior
Advocate with Mr. Suresh Kumar
Sharma, Mr. Bipin Kumar, Mr. Parv
Garg, Mr. Pawas Kulshrestha and Mr.
K.S. Rekhi, Advocates

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **21.03.2022**

IA Nos. 4623/2019, 10609/2020 & 11461/2019

Upon a preliminary consideration of these three applications, it appears that though only IA Nos. 4623/2019 and 10609/2020 were listed for consideration today, IA.11461/2019 also requires to be taken-up along with the other two applications for a complete consideration of the issues raised.

2. In essence, Mr. Vinay Kumar Garg, learned senior counsel appearing for the defendant, submits that since the present suit is a simple money suit and the immovable property that has been made subject matter of orders



dated 09.04.2019 and 05.07.2019 is not subject matter of the suit, the said orders could not have been passed under Order XXXIX Rules 1 and 2 C.P.C.

3. Accordingly, list all three applications for hearing on 11th May 2022.

ANUP JAIRAM BHAMBHANI, J

MARCH 21, 2022/p