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

+ CS(OS) 424/2021 and CC 32/2023, CRL.M.A. 17486/2021, I.A. 11534/2021

SOMESH SHARMA

.....Plaintiff

Through: Mr. Vinod Kumar and Mr. Shashank Shama, Advs along with plaintiff in person.

versus

SURESH SHARMA

.....Defendant

Through: Ms. Apurva Nagpal and Mr. Rakshit Anand, Advs.

**CORAM:**

**HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV**

**ORDER**

% **22.07.2025**

1. Learned counsel appearing for the defendant has placed reliance on the decision of Supreme Court in the case of ***Commercial Aviation and Travel Company and Ors. Vs. Vimla Pannalal***<sup>1</sup>, and of this Court in ***Vijay Singh @ Bijender Singh vs. Narinder Singh***<sup>2</sup>.
2. Learned counsel for the defendant contends that the defendant's undertaking be taken on record to make the deficient Court Fee good once the counter-claim is adjudicated and the actual valuation of the assets is determined with respect to the rendition of account, etc.
3. In view of the aforesaid, the direction for payment of the deficient Court Fee stands deferred till a later stage.

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<sup>1</sup> (1988) 3 SCC 423

<sup>2</sup> 2004 (75) DRJ 563



4. List this matter on 06.08.2025, enabling the parties to place on record the proposed issues to be framed.

**PURUSHAINDRA KUMAR KAURAV, J**

**JULY 22, 2025**

aks/mj