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

+ **RFA(COMM) 191/2024 & CM APPL. 29529/2024**

GURDEEP SINGH

.....Appellant

Through: Mr Rajesh Bhatia, Mr Shivam and Mr
Naveen Thakur, Advocates.

versus

M/S LAGRANDE SOLITAIRE PVT. LTD. Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

04.07.2024

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[Physical Hearing/Hybrid Hearing (as per request)]

1. This appeal is directed against the judgment and decree dated 24.01.2024, passed by Ms. Hemani Malhotra, learned District Judge (Commercial Court-02), West, Tis Hazari Courts, Delhi.
2. The record shows that the appellant had filed the suit for recovery of Rs.13,73,884/-, along with *pendente-lite* and future interest.
 - 2.1 In addition, costs were also sought by way of relief in the suit.
3. The counsel who appears on behalf of the appellant says that one of the errors that had been made by the learned District Judge was adjusting the security deposit amount of Rs.4,80,000/- , *inter-alia*, against arrears of rent claimed in the suit action.
4. In support of this plea, our attention has been drawn to paragraphs 4 and 5 of the impugned judgment.

RFA(COMM) 191/2024

Page 1 of 2



5. It is contended by the counsel who appears on behalf of the appellant that the amount for which recovery was sought *via* the suit action had been arrived at after adjusting the total outstanding amount *qua* the security deposit lying with the appellant.
6. The matter requires further examination.
7. Issue notice to the respondent *via* all permissible modes, including email.
8. List the matter on 11.11.2024.
9. Meanwhile, the Registry will summon the trial court record, *albeit* in digitized form, and place the same before the Court prior to the next date of hearing.

RAJIV SHAKDHER, J

AMIT BANSAL, J

JULY 4, 2024/rt

Click here to check corrigendum, if any

RFA(COMM) 191/2024

Page 2 of 2