



\$~8

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ RFA(COMM) 197/2024 & CM Nos.30762-63/2024

PINKI AGARWAL & ORS.

.....Appellants

Through: Mr Nalin Tripathi, Mr Ashiwan
Mishra and Mr Rakesh Kumar Soni,
Advs.

versus

RHYTHM PROFESSIONAL LLP

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

04.07.2024

%

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

CM No.30763/2024

1. Allowed, subject to the appellants filing legible copies of the annexures, at least three days prior to the next date of hearing.

RFA(COMM) 197/2024 & CM No.30762/2024 [Application filed on behalf of the appellants seeking interim relief]

2. This appeal is directed against the judgment and decree dated 12.03.2024 passed by Mr Ajay Kumar Jain, District Judge (Commercial Courts-03), SE, Saket Courts, Delhi.

3. Learned counsel for the appellants/defendants says that, via the impugned judgment, the learned District Judge has dismissed the application for leave to defend.

4. According to learned counsel for the appellants/defendants, triable issues arise in the matter, and therefore, leave ought to have been granted.

RFA(COMM) 197/2024

page 1 of 2



5. The matter requires further examination.
6. Accordingly, issue notice to the respondent *via* all modes including e-mail.
7. Upon the appellants/defendants depositing 50% of the entire decretal amount within six (6) weeks from today, there shall be, for the moment, a stay on the operation of the impugned judgment and decree.
8. List the matter on 12.11.2024.
9. The Registry will summon the trial Court record, *albeit* in a digitized form, prior to the next date of hearing.
10. Parties will act based on the digitally signed copy of the order.

RAJIV SHAKDHER, J

AMIT BANSAL, J

JULY 4, 2024

aj

[Click here to check corrigendum, if any](#)