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

+ **CS(COMM) 788/2018**

SOUTH DELHI MUNICIPAL CORPORATION Plaintiff

Through: Mr. Sandeep Bajaj & Mr. Soayib
Qureshi, Advocates (M-9818324703)

versus

PARBHATAM ADVERTISING PVT. LTD. Defendant

Through: Mr. Sunil Choudhary & Ms. Preeti
Shah, Advocates (M-9899750209)

CORAM:
JUSTICE PRATHIBA M. SINGH

ORDER
% **21.05.2019**

I.A. 4740/2018 (for exemption)

1. Allowed subject to all just exceptions. I.A. is disposed of.

I.A. 4741/2018 (for delay)

2. This is an application for condonation of delay of 32 days in re-filing.
The same is condoned. I.A. is disposed of.

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3. After hearing parties, the following issues are framed in this matter:
1. Whether the suit is bad for mis-joinder of the causes of action?
OPD
 2. Whether the suit is barred by limitation? OPD
 3. Whether the amount of Rs.8,64,000/- was paid as full and final
amount by the defendant against the claims of the plaintiff? OPD



4. Whether the plaintiff is entitled to claim the amount even after the date of cancellation of the contract vide its letter dated 03-04-2014? OP Parties
 5. Whether the plaintiff has not received the communication sent by the defendant? OPD
 6. Whether the tender for advertisements floated by the plaintiff was in contravention of the judgment passed by this Hon'ble court in FAO (OS) No.353/2007? OPD
 7. Whether the plaintiff failed to handover the clear sites to the defendant despite its various requests/reminders? OPD
 8. Whether the Plaintiff is entitled to seek recovery of a sum of Rs.2,70,79,937/- along with interest, if any? OPP
 9. Relief.
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4. Parties to file list of witnesses within four weeks.
 5. Plaintiff to lead evidence in the affirmative. Affidavits by way of evidence be filed within 8 weeks.
 6. List before Joint Registrar on 13th August, 2019 for Plaintiff's evidence.

PRATHIBA M. SINGH, J

MAY 21, 2019

Rahul