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

+ RFA 290/2020
SANGEETA AGRAWAL Appellant

Through Mr. Puneet Taneja and Mr.
Manmohan Singh Narula, Advocates.

versus

BALMER LAWRIE & CO. LTD. Respondent

Through None.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **04.12.2020**

Hearing has been conducted through Video Conferencing.

CM No. 31386/2020 (Exemption)

Allowed, subject to all just exceptions.

Application is disposed of.

RFA 290/2020

By way of the present appeal the Appellant challenges the judgement and decree dated 16.05.2020 passed by the Trial Court whereby while partially allowing the recovery suit filed by the Appellant, it has erroneously allowed the deduction of liquidated damages as carried out by the Respondent, alleging delayed execution of work. It is submitted that the judgement is in complete ignorance of the law settled by the Supreme Court in *Kailash Nath Associates v. Delhi Development Authority and Another* [(2015) 4 SCC 136].



Issue notice to the Respondent through all permissible modes on the Appellant taking requisite steps, returnable on 25.03.2021.

CM No. 31385/2020 (delay in filing)

Issue notice to the Respondent through all permissible modes on the Appellant taking requisite steps, returnable on 25.03.2021.

CM No. 31387/2020 (additional evidence)

This is an application under Order 41 Rule 27 CPC to permit the Appellant to place on record additional evidence by way of Form-VIA dated 13.02.2006 relating to the subject contract.

Issue notice to the Respondent through all permissible modes on the Appellant taking requisite steps, returnable on 25.03.2021.

JYOTI SINGH, J

DECEMBER 04, 2020/yo