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IN THE HIGH COURT OF DELHI AT NEW DELHI

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RFA(COMM) 333/2025 & CM APPL. 34915/2025, CM APPL. 34916/2025

BIMLA RANI JUNEJA

.....APPELLANT

Through: Mr. Siddharth Aggarwal, Adv.

versus

NATHUS SWEETS PVT LTD

.....RESPONDENT

Through: None.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SHAIL JAIN

ORDER

% 29.07.2025

1. This hearing has been done through hybrid mode.

CM APPL. 34916/2025 (for delay)

2. This is an application for condonation of delay in refiling. For the reasons stated in the application, the delay is condoned.

3. Application is disposed of.

RFA(COMM) 333/2025 & CM APPL. 34915/2025

4. The present appeal under Section 13 of the Commercial Courts Act, 2016 read with Section 96 of Civil Procedure Code has been filed *inter alia* challenging the

(i) impugned judgment and decree dated 14th October, 2024 as also, (hereinafter 'impugned judgment')

(ii) order dated 1st March, 2024,

passed by the Id. District Judge, Commercial Court-06, South East, Saket, New Delhi in **CS(Comm) 637/2023** titled '**Bimla Rani Juneja & Ors Vs Nathus Sweets Pvt. Ltd.**'. By the impugned judgment, various issues have been decided and in effect, the suit of the Appellant/ Plaintiff has been



dismissed. The Defendant has been granted a decree to the tune of Rs.6,63,000/- along with simple interest at 6% per annum and costs have also been imposed upon the Plaintiff/Appellants.

5. The submission of Id. Counsel for the Appellant/ Plaintiff is that the Defendant had not filed any counter claim and had only sought adjustment of Rs.6,63,000/-. The grievance is that without a prayer, or a counter claim, the Plaintiff's suit is decreed in favour of the Defendant.

6. Issue notice.

7. Let the Trial Court Records (physical copy) be requisitioned.

8. Considering the peculiar facts and circumstances of this case unconditional stay of the judgment is granted.

9. List before Joint Registrar on 2nd September, 2025.

10. Lists before the Court on 4th November, 2025.

PRATHIBA M. SINGH, J.

SHAIL JAIN, J.

JULY 29, 2025/kp/Ar.