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

+ **CS(COMM) 689/2023 with I.A. 19138/2023 and I.A. 36016/2024**

MAPSA TAPES PRIVATE LIMITEDPlaintiff

Through: Mr. Rohit Gandhi, Mr. Vidur Marwah
and Ms. Hargun Singh Kalra,
Advocates.

versus

**SHIV NARESH SPORTS PRIVATE
LIMITED & ORS.**

.....Defendants

Through: Mr. Hrishikesh Baruah, Mr. Parth
Goswami, Mr. Utkarsh Dwivedi, Mr.
Kumar Kshitij, Mr. Yashwasy Ghosh,
Ms. Pragya Agarwal & Mr. Ranjeet
Pawar, Advocates for D-1.
Mr. Ankit Bhatia, Advocate for D-2
and D-3

**CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL**

ORDER
29.10.2025

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1. Mr. Hrishikesh Baruah, learned counsel appearing on behalf of the defendant no.1 has concluded his submissions. In a nutshell, the submissions can be summarised as under:-

- i. There was a profit-sharing agreement between the plaintiff and defendant no.1.
- ii. That the amounts had to be paid to defendant no.1 only upon receipt of funds from defendants no.2 and 3. This is reflected from tripartite escrow account between plaintiff, defendant no.1 and the



HDFC Bank.

iii. Plaintiff created impediments in the release of the amounts in favour of the defendant no.1 from defendants no.2 and 3.

iv. The ledger of the defendant no.1 in respect of the plaintiffs account which shows that an amount of ₹16.77 crores is owed by defendant no.1 to the plaintiff. The ledger does not reflect that ₹10 crores was paid by the defendant no.1 to the plaintiff.

v. Even if the ledger is to be taken at its face value, it reflects that the sum of ₹16.77 crores is payable by the defendant no.1 to the plaintiff. However, it does not detract from the fact that the said amount has to be paid only after the amounts were received by defendant no.1 from defendants no.2 and 3.

vi. There are various triable issues raised in the present suit and hence, it is not a fit case for a grant of a summary judgment.

2. List for rejoinder submissions on 30th October, 2025 at 3:30 PM.

AMIT BANSAL, J

OCTOBER 29, 2025

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