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

+ **CS(OS) 26/2022**

ETHIOPIAN AIRLINES Plaintiff

Through: **Mr Kunal Kher, Adv.**

versus

DELHI INTERNATIONAL AIRPORT

LIMITED GMR GROUP & ANR. Defendants

Through: **Mr Arun Sri Kumar and Mr
Abhyudaya Shishodia, Advs.**

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **06.03.2024**

1. From the pleadings of the parties, the following issues are framed:
 - i. Whether the suit suffers from non-joinder of party Air India?
OPD
 - ii. Whether the suit is hit by Order II Rule 2 of the Code of Civil Procedure, 1908? **OPD**
 - iii. Whether the plaintiff and its employees were negligent during push-back operations on 09.08.2017 at around 02:10 a.m.?
OPD-2
 - iv. Whether the plaintiff is entitled to consequential losses notwithstanding Article 8.5 of Standard Ground Handling Agreement? **OPD-2**
 - v. Whether the plaintiff is responsible for contributory negligence



on its part? **OPD-2**

vi. Whether the plaintiff is entitled to a sum of Rs. 3,27,81,464/- (Rupees Three Cores Twenty-Seven Lakhs Eighty-One Thousand Four Hundred and Sixty-Four only) along with interest? If so, at what rate? **OPP**

vii. Relief, if any, against defendant No.1 and against defendant No.2?

2. List before the concerned Joint Registrar (Judicial) on 08.04.2024 for taking steps for recording of evidence.

JASMEET SINGH, J

MARCH 6, 2024

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