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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 3002/2024**
PARAMOUNT INTERCONTINENTAL PT LTD

.....Petitioner
Through: **Mr. Kamal Bansal, and Ms. Monika Verma, Advocates (through VC).**

versus

M/S. SANICON ENERGY SOLUTION

Through:

.....Respondent

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **24.07.2024**
CM APPL. 41387/2024 (exemption)

Exemption allowed, subject to all just exceptions.

CM(M) 3002/2024 & CM APPL. 41386/2024

1. Present petition has been filed under Section 227 of the Constitution of India.
2. Plaintiff is aggrieved by the order dated 23.08.2023 whereby unconditional leave to defend has been granted to respondent.
3. According to learned counsel for the petitioner, the suit had been instituted against M/s Sanicon Energy Solution but the appearance and leave to defend has come from M/s Sanicon Energy Solution Pvt. Ltd. and since these were two different entities, the Court should not have entertained such appearance and application seeking leave to defend.

CM(M) 3002/2024

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4. When asked, as to why the summons of judgment were got issued based on such appearance, no plausible answer has come forward.
5. Be that as it may, keeping in mind the averments raised in the present petition, issue notice through all permissible modes including *dasti*, returnable on 22.10.2024. Notice be also issued through counsel.
6. In the meanwhile, the learned Trial Court may frame the issues but the recording of evidence be deferred till the outcome of the present petition.

MANOJ JAIN, J

JULY 24, 2024/sw