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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RFA 144/2020
KAMAL BOHRA

..... Appellant
Through : Ms.M.Theepa and Mr.A.K.Pandey,
Advocates

versus

M/S JAINSONS ELECTRONICS
..... Respondent
Through : None

CORAM:
HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER
% **25.02.2020**
CM APPL Nos.7458/2020, 7460/2020

Exemption allowed, subject to all just exceptions.

The application(s) stand disposed of.

RFA 144/2020 & CM APPL Nos.7457/2020, 7459/2020, 7461/2020

This appeal is against the impugned judgement dated 17.08.2018 whereby the suit for recovery of Rs.35,36,603.70 filed by the respondent was decreed with pendetelitte interest @ 12% per annum on the basis of evidence led by the respondent viz. PW1, a partner of the registered firm who proved on record the invoices Ex.PW1/1 collectively; the computer generated statement of account Ex.PW1/2; certificate under Section 65B of the Indian Evidence Act Ex.PW1/3; bank statement Ex.PW1/4 and a legal notice Ex.PW1/5. Admittedly, no evidence was led by the appellant herein before the learned trial court.

The appellant has challenged the impugned judgment by the learned trial court on the premise the statement of account was never proved as per law.

Issue notice to the respondent by all modes on filing PF returnable on 21.09.2020 and subject to the deposit of decretal amount within 90 days from today, as requested, the operation of the impugned judgment shall remain stayed till the next date of hearing. The amount be deposited with the Registrar General of this Court and be kept in an interest bearing FDR, initially for a period of one year but with an automatic renewal clause.

Compliance of Order 39 Rule 3 of the CPC be made within ten days from today.

Order *dasti*.

YOGESH KHANNA, J.

FEBRUARY 25, 2020

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