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

+ **CS(OS) 10/2024**

ARYAMAN SHARMA

..... Plaintiff

Through: Mr.Atharv Bhardwaj, adv. (through
VC) and Mr.Ashish Dogra, Mr.Rahul
Sharma and Mr. Ashish Kumar
Sharma, Advts.

versus

MANJU SHARMA

..... Defendants

Through:

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

% **08.01.2024**

I.A. 297/2024 (exemption)

Exemption is allowed subject to all just exceptions.

Application stands disposed of.

I.A. 298/2024 (u/S 149 r/w S. 151 CPC)

Present application has been filed by the plaintiff seeking leave to pay ad-valorem court fee with the following prayer:

“To allow the Plaintiff to pay the deficient court fee upon the rendition of accounts of the Partnership Firm on the final adjudication of the exact claim of the plaintiff”

Issue notice to the defendants through all permissible modes, returnable for 08.02.2024 before court.

CS(OS) 10/2024

Present plaint has been filed for settlement/ rendition of accounts



pertaining to partnership firm i.e. M/s Caliber Minerals with the following prayers:

- i) To Pass a Decree for the settlement of accounts of the Partnership firm, by dividing all the assets of the Partnership firm equally amongst the Plaintiff and the Defendant and;*
- ii) To Pass an order for the rendition of accounts of profits earned by the defendants through their illegal activities and a decree for the amount so found in favour of the plaintiff on such rendition of accounts and;*
- iii) To Pass a Decree directing the Defendant, to pay litigation cost along with incidental charges for forcing present litigation on to the Plaintiff and/or;*

Let the plaint be registered as suit.

Summons be issued to the defendants by all permissible modes, which shall indicate that the written statements must be filed within thirty days from the date of receipt of the summons.

The defendants are directed to file affidavit of admission/denial against the documents filed by the plaintiff, failing which the written statement shall not be taken on record.

The plaintiff is at liberty to file replications thereto within fifteen days of filing of the written statements, which shall be accompanied by affidavits of admission/denial, in respect of the documents filed by the defendants, failing which the replications shall not be taken on record.

It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.

Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.

List before the Joint Registrar (Judicial) on 12.03.2024.



I.A. 296/2024 (U/O XXXIX R-1 AND 2 CPC)

Present application has been moved seeking the following prayer:

“An order to refraining Defendant her assignees, nominees, representatives, heirs, managers etc. from trespassing/ creating any nuisance in the assets, movable and immovable, belonging to the Partnership Firm”

Issue notice to the defendant/non-applicant returnable on 08.02.2024 before court.

DINESH KUMAR SHARMA, J

JANUARY 8, 2024

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