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

+ **RFA(COMM) 385/2024 & CM APPL. 53614-53615/2024**

M/S D. D. PRADHAN AND CO. PVT. LTD.Appellant
Through: Mr Vikram Kumar and Ms Anushka
Kumar, Advocates

versus

M/S TRIPATHI HARDWARE AND MILL STORERespondent
Through:

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER
HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **12.09.2024**

[Physical Hearing/Hybrid Hearing (as per request)]

CM APPL. 53615/2024

1. Allowed, subject to the appellant filing legible copies of the annexures, at least three (3) days before the next date of hearing.

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2. This appeal is directed against the judgment and decree dated 18.07.2024 passed by Ms Ravinder Bedi, learned District Judge (Commercial Court)-12, Central District, Tis Hazari Courts, Delhi.

3. Via the impugned judgment, the trial court has decreed the suit in favour of the respondent/plaintiff by taking recourse to the provisions of Order XIII-A of the Code of Civil Procedure, 1908 [in short "CPC"].

4. The suit has been decreed for Rs.3,35,303/- along with interest at the

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rate of 12% per annum commencing from the date of institution of the suit till realisation.

4.1 Besides this, litigation costs of Rs. 25,000/- have also been awarded to the respondent/plaintiff.

5. The matter requires further examination.

6. Issue notice to the respondent/plaintiff *via* all modes including email.

7. Upon the appellant/defendant depositing the entire decretal amount with the Registry of this Court, within the next four (4) weeks, there shall be, for the moment, a stay on the operation of the impugned judgment and decree.

8. List on 31.01.2025.

9. Parties will act based on the digitally signed copy of the order.

RAJIV SHAKDHER, J

AMIT BANSAL, J

SEPTEMBER 12, 2024/ds

Click here to check corrigendum, if any