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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RFA(COMM) 547/2025 & CM APPL. 58816/2025, CM APPL.
58817/2025, CM APPL. 58819/2025

M/S SEHGAL CONSULTANTS AND ENGINEERING PRIVATE
LIMITEDAPPELLANT

Through: Mr. Rahul Shukla, Mr. Ramandeep
Singh and Ms. Bachita Baruah
Shukla, Advs.

versus

M/S SUBROS LIMITEDRESPONDENT
Through: Mr. Rohit Gandhi, Mr. Vidur Marwah
and Mr. H.S. Kalra, Advs.

CORAM:
HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE
HON'BLE MR. JUSTICE ANISH DAYAL

% **ORDER**
17.09.2025

CAV 357/2025

1. Since the respondent has entered their appearance, the *Caveat* stands discharged.

CM APPL. 58818/2025 (Exemption)

1. Exemption allowed subject to just exceptions.
2. Application stands disposed of, accordingly.

RFA(COMM) 547/2025

1. This appeal has been preferred by the appellant (*original*



defendant/Judgment Debtor) questioning the judgment and decree dated 02nd August 2025, delivered by the District Judge (Commercial), Patiala House Court, New Delhi in **CS(COMM.)13/2018** titled as “***Subros Limited v. Sehgal Consultants and Engineering Pvt Ltd.***”

2. On the basis of business transactions, the suit for recovery came to be initiated by the respondent (*original plaintiff/Decree Holder*) and the decree for recovery of an amount of Rs.18,06,789/- with a future interest of 18% came to be delivered.

3. Amongst other grounds raised in the appeal in assailing the judgment and decree are: **(a)** that the Trial Court has delivered a ‘*cryptic judgment*’ without considering the evidence, particularly the cross-examination of the witnesses of the respondent/Decree Holder; and **(b)** that even in absence of the written statement, it was incumbent upon the respondent/Decree Holder to *prima facie* establish its case.

4. Counsel for the appellant/Judgement Debtor has invited our attention to the finding recorded by the Commercial Court whereby the accounting entries maintained in the accounting system *SAP-ERP Accounting Software* were accepted. It is claimed that the original invoices were never produced.

5. In this background, on being confronted, counsel for appellant/Judgement Debtor states that the entire decretal amount shall be deposited with the Registry of this Court within a period of 8 weeks from today.

6. In view of the same, issue notice to the respondent. Counsel for respondent accepts notice.

7. Respondent/Decree Holder is permitted to file their written response to the application for stay along with any documents in support.



8. List on 08th December 2025.
9. Order be uploaded on the website of this Court.

NITIN WASUDEO SAMBRE, J

ANISH DAYAL, J

SEPTEMBER 17, 2025/MK/tk