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

+ **CM(M) 2333/2025**

NAVEEN SODHI

.....Petitioner

Through: Mr. Sunil Lalwani, Advocate.

versus

PAWAN KUMAR AGGARWAL

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **02.12.2025**

CM APPL. 75610/2025 (exemption)

1. Allowed, subject to all just exceptions.

CM APPL. 75611/2025 (for condonation of delay of 07 days in re-filing petition)

2. For the reasons mentioned therein, the delay of seven days in re-filing the petition is condoned. The application stands disposed of.

CM(M) 2333/2025 & CM APPL. 75609/2025 (stay)

3. Petitioner/plaintiff has assailed order dated 24.07.2025 of the learned trial court, whereby leave to defend the suit under Order XXXVII CPC was granted for the reason that the petitioner/plaintiff in the suit had claimed not just the principal amount of the cheques involved, but also interest @ 24% per annum, for which there was no agreement between the parties. It appears that the petitioner/plaintiff in the suit claimed interest on the basis of market usage.



4. Learned counsel for petitioner/plaintiff contends that the impugned order is not sustainable as it is sketchy and does not lay complete facts and circumstances of the case. Further, it is contended by learned counsel that even going by the circumstances mentioned in the impugned order, the learned trial court could have at the most granted leave to the extent of contesting the interest component.
5. Subject to petitioner/plaintiff taking steps within one week, notice through all modes be issued to the respondent, returnable on 27.03.2026 before Registrar.
6. Till next date proceedings before the trial court shall remain stayed.

GIRISH KATHPALIA, J

DECEMBER 2, 2025/dr