

M/s Pristine Hotel Vs. Suresh Bajaj alias S.K. Bajaj

Civil Suit No. 52 of 2024

14.08.2024 Present: Mr. Navneet Kumar Bhalla, Advocate, for the plaintiff (through video conference).

Civil Suit No. 52 of 2024 & OMP No. 2024

Present suit has been filed for specific performance of agreement for sale dated 01.06.2024 entered into between the defendant and a firm consisting of present plaintiff and G.S. Sandhu. Admittedly at the time of execution of agreement, the firm was unregistered and could not have filed the suit in view of prohibition contained in Section 69 of the Indian Partnership Act.

Prima facie, it is doubtful that the partnership firm could have been dissolved to circumvent the provision contained under Section 69 of the Indian Partnership Act a suit could have been filed by single person, therefore, no interim relief can be granted at this stage.

Issue notice to the defendant/respondent returnable within a period of four weeks, on taking steps within a period of four weeks.

(Rakesh Kainthla)
Judge

14th August, 2024
(Ravinder)