

Mr. Sandip Somany & Anr vs Mr. Ram Niwas Jindal on 21 March, 2018

Author: Yogesh Khanna

Bench: Yogesh Khanna

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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CS(COMM) 547/2017
MR. SANDIP SOMANY & ANR

..... Plaintiffs

Through : Mr.Manav Gupta, Ms.Esha Dutta and
Mr.Sahil Garg, Advs.

versus

MR. RAM NIWAS JINDAL

..... Defendant

Through : Mr.AvinashTrivedi, Adv.

CORAM:
HON'BLE MR. JUSTICE YOGESH KHANNA
ORDER

% 21.03.2018 From the pleadings of parties following issues are made out:-

1. Whether the suit is barred by limitation? OPD
2. Whether the suit is barred by the provisions of Order 2 Rule 2 CPC? OPD
3. Whether the suit disclose cause of action? OPD
4. Whether the plaintiff is entitled to decree of recovery of 1,07,93,000/- till the date of realisation?
OPP
5. Relief, if any.

No other issue arises on the pleadings nor is pressed for by the learned counsel for the parties.

List of witnesses, if not filed earlier, be filed by the parties within two weeks from today after exchanging copies thereof. Affidavit of plaintiff witnesses be filed within four weeks from today with advance copy thereof to other side. It is submitted by the learned counsel for the plaintiffs that a Local Commissioner be appointed for plaintiff's evidence whose fee shall be borne by the plaintiff as per rules.

In these circumstances Sh.Pradeep Chadha, District Judge (Retd.) (Mobile No. 9910384665) is hereby appointed as a Local Commissioner to record the evidence of the parties. The parties shall appear before the learned Local Commissioner 12 th April, 2018 on at 2 PM.

List before the Joint Registrar on 10.07.2018.

YOGESH KHANNA, J MARCH 21, 2018 VLD