

# M/S. Sana Herbals Pvt. Ltd vs Mohsin Dehlvi on 2 November, 2022

**Author: Jyoti Singh**

**Bench: Jyoti Singh**

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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 813/2016

M/S. SANA HERBALS PVT. LTD.

..... Plaintiff

Through: Mr. M.K. Miglani, Advocate.

versus

MOHSIN DEHLVI

..... Defenda

Through: Mr. Farraukh Khan, Ms. Ridhima

Goyal, Ms. Ishita, Ms. Devangi and Mr. Shahi

Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% 02.11.2022 I.A. 17791/2022 (for preponement of the next date of hearing, by Defendant)

1. Present application has been preferred on behalf of the Defendant seeking preponement of the next date of hearing in the application being I.A. 16968/2022 under Order XIV Rule 5 CPC, 1908 for framing of additional issues.

2. It is submitted by learned counsel appearing on behalf of the Defendant that when the matter was listed on 17.10.2022, inadvertently, he could not appear in the matter and could not apprise the Court of the urgency of the hearing of the said application.

3. It is further submitted by learned counsel for the Defendant that the matter is now listed before the learned Joint Registrar for Plaintiff's evidence on 06.12.2022 and 07.12.2022, and if evidence starts without framing of additional issues as claimed in the said application, prejudice shall be caused to the Defendant.

4. Issue notice.

5. Mr. M.K. Miglani, learned counsel accepts notice on behalf of the Plaintiff.

6. For the reasons stated in the application, the same is allowed.

7. Date of hearing in I.A. 16968/2022 under Order XIV Rule 5 CPC is preponed to 29.11.2022.

8. Application stands disposed of.

I.A. 16968/2022 (under Order XIV Rule 5 CPC, by Defendant)

9. List for hearing on 29.11.2022.

10. Date of 16.01.2023 already fixed, stands cancelled.

JYOTI SINGH, J NOVEMBER 02, 2022/shivam