

CS (COMM.)/259/2023

DLND010006572022

M/S GOLDMEDAL ELECTRICALS PVT LTD

Vs.

DALPAT SINGH

03.04.2025

Present: Sh. Kamal Naresh, Advocate for Plaintiff.

Sh. Aditya Vats Sharma, Advocate for Defendant.

Heard. File perused.

Today, the case is fixed for arguments on pending applications, including application under Section 10 r/w Section 151 CPC seeking stay of the proceedings of the present suit, moved by defendant.

Passover is sought on behalf of plaintiff on the ground that main arguing Counsel Sh. S. K. Bansal Advocate is busy in some other matter listed before Hon'ble Delhi High Court.

Put up at 12.00 noon, as requested.

Vidya Prakash
District Judge (Commercial Court)-02
Patiala House Court, New Delhi.

At 12.15 pm

Present: None for Plaintiff despite calls.

Sh. Aditya Vats Sharma, Advocate for Defendant.

Heard. File perused.

On the first call, Sh. Kamal Naresh Advocate had appeared on behalf of plaintiff and on his request, the matter was passed over for 12.00 noon, as Sh. S. K. Bansal Advocate was stated to be busy before Hon'ble Delhi High Court. However,

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none has appeared on behalf of plaintiff now when the matter has been taken up again. It is already 12.15 pm now.

Ld. Counsel of defendant submits that the plaintiff has filed the present suit maliciously and despite being well aware of the fact that another prior suit containing similar reliefs filed by plaintiff herein against the same very defendant, bearing CS (COMM.) No. 174/2020 is already pending before Ld.District Judge (Commercial Court) South District, Saket Courts, Delhi. He further submits that the plaintiff is intentionally not appearing in this matter to advance arguments on the aforesaid application seeking stay of the present suit, in order to harass th defendant and to waste the precious time of this Court.

Having considered the overall facts and circumstances of the case including the aforesaid submissions made on behalf of defendant and the conduct of the plaintiff in not coming forward to advance arguments on the pending applications, a cost of Rs. 5,000/- is imposed upon the plaintiff for rendering today's purpose as infructuous and in the interest of justice, the plaintiff is hereby granted last and final opportunity to advace arguments on the pending applications on next date, failing which it is hereby made clear that the applications shall be decided on the basis of material available on record.

Put up on 30.05.2025 for payment of costs and arguments on pending applications.

Vidya Prakash
District Judge (Commercial Court)-02
Patiala House Court, New Delhi.
03.04.2025^(v)