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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(OS) 2050/2011 and I.A. Nos.4365/2012, 15145/2012, 4428/2014,
4429/2014 & O.A No.32/2014

INTERNATIONAL TRENCHING PVT. LTD. Plaintiff

Through Mr.Atul Kumar, Adv with
Mr.Girish Chandra, Adv.

versus

IDEB PROJECTS (P) LTD. Defendant

Through Mr. Amit Sharma, Adv. along with
Mr.S.D. Awasthi, Vice President of
defendant present in person.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER

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23.09.2015

The plaintiff filed the suit under Order XXXVII CPC for the recovery of Rs.36,81,000/-. The defendant does not dispute having received a sum of Rs.21,78,000/- from the plaintiff. On the last date, he has raised objection about the territorial jurisdiction, although it was admitted by the defendant before the Court that the defendant has issued the allotment letter from Delhi. On that date, the proposal was given by the defendant to pay the principal amount. Today when the matter is taken up, the Vice President of the defendant-Company is present before Court and he undertakes to pay the said amount within four weeks. He submits that in case the defendant is not in a position to pay the said amount within the said period, as the Company

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is suffering from money crunch, the same shall be paid within six months from today in six monthly installments and in that eventuality, the defendant shall also pay the interest @ 4% per annum from the date of the filing of the suit till the date of the payment.

The Director of the plaintiff-Company, who is also present in Court, is agreeable to the statement made by the Vice President of the defendant-Company before Court. The suit is accordingly disposed of in view of the statement made on behalf of the defendant who shall comply strictly the said arrangement and in case the defendant shall not adhere to the statement made in the Court, the plaintiff would be entitled to a decree for the entire amount as claimed. Pending applications also stand disposed of so as the Chamber Appeal.

Dasti.


MANMOHAN SINGH, J.

SEPTEMBER 23, 2015/vp