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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO(OS) (COMM) 74/2016 & CM No.32861/2016**
M/S E O S CAPITAL ADVISORS PVT LTD

..... Appellant

Through : Mr.Manish Vashisht and Mr.Sameer
Vashisht, Advs.

versus

NSL NAGAPATNAM POWER & INFRATECH LTD

..... Respondent

Through : Ms.Tatini Basu, Adv.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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24.04.2017

We have heard counsel for the parties.

The Single Judge by the impugned order was of the opinion that the plaintiff had not made out a case for decree on admission, and cited some documents. The Single Judge reasoned that documents and material relied upon by the plaintiff indicated only “in principle approval” and therefore a trial was needed to determine whether the amounts claimed had in fact fallen due. After hearing counsel we are of the opinion that since the documents relied on by the parties are of matter on record and have been admitted or denied, no oral evidence is necessary in this matter. Learned counsel for the parties agree that the suit can be heard and issues can be decided on the basis of

pleadings and the documents admitted or denied. In the circumstances the learned Single Judge is requested to hear the matter finally. The parties have agreed to confine their oral arguments to 20 minutes each; and further they shall file synopsis not exceeding 7 pages each to enable the Court to decide the issues before it expeditiously. List before the Single Judge on 12th July, 2017 for further directions/proceedings.

The appeal and pending application is disposed of in the above terms.

All rights and contentions of the parties are kept open.

S. RAVINDRA BHAT, J

YOGESH KHANNA, J

APRIL 24, 2017
VLD