

\$~56

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ TR.P.(C.) 47/2018 and CM APPL.11316/2018

LEA ASSOCIATES SOUTH ASIA PVT LTD Petitioner

Through: Mr. Debasish Moitra, Advocate with
Ms. Shantha Devi Raman, Adv.

versus

KRISHANA KUMAR GUPTA

..... Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **22.03.2018**

The petition is misconceived on its face. Two suits came to be filed, first in chronology (civil suit No.433/2012) being the suit of the respondent instituted on 19.12.2008 seeking reliefs in the nature of declaration and recovery of Rs.18,29,254/- towards legal dues, damages and compensation for illegal termination of services, it having been decided by the judgment dated 12.11.2014 of the additional district judge, South-East District, both parties having preferred regular first appeals (RFA) there against which are pending before the appropriate bench of this Court and, the second, suit [CS (OS) No.2426/2011) of the petitioner against the respondent seeking damages for breach of contract which was originally presented on the original side of this Court and which is now pending on the file of additional district judge, South-East District.

TR.P.(C.) 47/2018

Page 1 of 2

Since the first suit has already been decided and the matter is at the stage of regular first appeal, no purpose would be served by withdrawing the other suit from the district Court and transferring it to this Court.

The petition and the application filed therewith are dismissed.

R.K.GAUBA, J.

MARCH 22, 2018

vk