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

+ **CM(M) 504/2018 & CM APPL. 17789/2018**

INDIAN SCHOOL OF BUSINESS & FINANCE Petitioner

Through: Mr. Sidharth Tyagi and Mr. Parth
Chadha, Advocates. (M:9911452727)

versus

PRARTHANA GUPTA & ANR Respondents

Through: Mr. Paritosh Tomar, proxy counsel.
(M:9873286304)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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11.02.2020

The only issue in this case is that the written statement of the Petitioner herein/Defendant (*hereinafter 'Defendant'*) has not been taken on record as the counsel for the Defendant had not appeared on the date fixed by the Trial Court and the Defendant thereafter has been proceeded *ex parte* and the defence has been struck off.

The Court has seen the nature of the suit which is one for recovery of the fees of Rs.2.24 lakhs alleged to have been paid by the Respondents herein/Plaintiffs (*hereinafter 'Plaintiffs'*) to the Defendant which runs educational institutions. It is the case of the Defendant that the Defendant has an affiliation/arrangement with the London School of Economics and there was no misleading or false assurance given by the Defendant to the Plaintiffs. He relies upon various website print-outs to support his plea. The order sheets would show that the only reason why the Court has closed the right of the Defendant is because the ld. counsel for the Defendant did not

appear on various occasions. Under these circumstances, the written statement shall be retained on record subject to payment of Rs.20,000/- as costs to the Plaintiffs. The suit shall now proceed further in accordance with law. Costs to be paid on the next date before the trial court.

With these observations the petition and all pending applications are disposed of. *Dasti.*

PRATHIBA M. SINGH, J.

FEBRUARY 11, 2020

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