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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 1162/2018**

PIONEER CORPORATION Plaintiff
Through: Ms. Saloni Chowdhry, Adv.

versus

GULAB GOEL & ORS. Defendants
Through: Ms. Ankita Wason, Adv. for D-6
Mr. JK Bhola, Adv. for D-7

CORAM:
HON'BLE MR. JUSTICE C.HARI SHANKAR
ORDER (O R A L)

% **21.08.2023**

1. There were a total of 16 Defendants in this suit. The suit stands decreed *qua* (i) Defendant 1 on 2 March 2020, (ii) Defendants 2, 9 and 13 on 11 September 2019, (iii) Defendants 3, 4, 5, 10 and 15 on 6 May 2019, (iv) Defendants 12, 14 and 16 on 22 November 2022, (v) Defendants 6, 7 on 23 November 2022 (vi) Defendant 8 on 29 March 2022 and (vii) Defendant 11 on 23 December 2022.

2. It appears that, thereafter, Defendant 7 has been avoiding complying with the order passed by this Court by the judgment and decree by denying that he had ever engaged Mr. Yogendra Kumar, Advocate who represented him at the time in the proceedings which culminated in the decree against him on 23 November 2022.

3. No application for review of the decision of the judgment and decree passed by this Court has been made by Defendant 7 till date.



4. Instead, Defendant 7 has been seeking time to file objections to the report filed by the learned local Commissioner who had been appointed by this Court initially in the proceedings. I fail to see how, once the suit is decreed against Defendant 7, he can at all seek time to file a reply to the report of the learned local Commissioner, without challenging the decree by means known to law.

5. Though this Court has earlier adjourned the matter in view of the request made by Defendant 7, keeping in view the circumstances, I see no reason why the request should be entertained. The prayer of Defendant 7 to file reply to the report of the learned local Commissioner is declined.

6. Ms. Saloni Chowdhry submits that her client did not move for execution of the decree as they were under the impression that Defendant 7 was willing to comply with it.

7. Inasmuch as the suit stands decreed against all the defendants, no further orders are required to be passed in this matter.

8. The rights of the plaintiff and the defendants, *qua* the decree which stands passed, lie elsewhere and in other proceedings.

9. This suit stands disposed of in the aforesaid terms.

C.HARI SHANKAR, J

AUGUST 21, 2023

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