



C.S. (Comm.Div.) No. 29 of 2023

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ABDUL QUDDHOSE, J.

Both the counsels have filed their respective draft issues. After giving due consideration to the pleadings as well as to the draft issues filed by both the counsels, this court frames the following issues:-

1. Whether the Plaintiff is entitled for the Suit Claim?
2. Whether the Plaintiff has supplied the goods as per the agreed terms?
3. Whether the goods supplied by the Plaintiff was defective and whether the defendant is entitled to not pay the value of the goods on account of alleged defective equipments supplied by the Plaintiff?
4. Whether the Tripartite Agreement dated 05.04.2019 is enforceable?
5. Whether the Plaintiff has complied with Section 12A of the Commercial Courts Act, 2015?
6. Whether the plaintiff is entitled for the interest at the rate of 18% per annum from date of plaint till the date of realization as claimed in the plaint?



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7. Whether the Suit is liable to be dismissed for non-joinder of necessary party?

8. Whether the terms of repayment by the Defendant as agreed by him in the meeting held on 31.12.2019 is subject to the fulfillment of obligations by the Plaintiff as alleged in para.27 of the written statement?

9. To what other reliefs?

Post the matter for case management hearing on 08.12.2023

28.11.2023

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