



O.A.No.899 of 2023
in
C.S.(Comm. Div.)No.247 of 2023

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ABDUL QUDDHOSE.J.,

Pleadings are complete in O.A.No.899 of 2023. Learned counsel for the respondent / defendant is ready. However, the learned counsel applicant / plaintiff seeks for an adjournment once again. There is no interim order granted by this Court in this application. The learned counsel for the plaintiff must always be ready to argue the interlocutory application, that too when no interim order has been granted in favour of the plaintiff till date.

2. Since the learned counsel for the plaintiff is seeking adjournment and being a commercial suit, this Court is of the considered view that no useful purpose will be served if this application is allowed to be kept pending. Instead the parties can go for trial. Learned counsel for the plaintiff has not raised any serious objection if this Court directs both the parties to go for trial instead of this Court deciding this interim application.



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ABDUL QUDDHOSE.J.,

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3. After recording the rival submissions, this application is closed by directing both the parties to go for trial. The defendant has already filed his written statement and a copy of the same has already been served on the learned counsel for the plaintiff. Registry is directed to put up the same if it is available on the next hearing date and post the matter for filing of affidavit of admission / denial of documents on 19.02.2024.

05.02.2024

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