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

% *Date of decision: 02nd August, 2024*

+ CM(M) 1948/2024 & CM APPL. 10859/2024

NEHA BUS SERVICES PVT. LTD.

.....Petitioner

Through: Mr. R.P. Shukla, Ms. Upasana Shukla,
Mr. Dhruv Shukla, Ms. Aeshwarya
Sharma, Advocates.

versus

M/S PINTU

.....Respondent

Through: Mr. Chirag Alagh Adv.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner is defendant before the learned Trial Court.
2. The case is already at the stage of final arguments.
3. The plaintiff -M/S Pintu has filed a commercial suit seeking recovery of a sum of more than Rs.1,00,00,000/- towards the non-payment of arrears of parking charges of the buses of defendant.
4. Petitioner (defendant) is aggrieved by order dated 14.02.2024 whereby his application moved under Order VI Rule 5 CPC has been dismissed.
5. Heard arguments from both the sides.
6. During course of arguments, learned counsel for the plaintiff, when asked by the court, informed that the complete booklet containing counterfoils of monthly passes from August, 2018 till February 2023 is



available with the plaintiff and it can always show such booklet to the learned Trial Court at the time of the final consideration of the matter.

7. Learned counsel for the defendant (petitioner herein) states that he merely seeks a direction that it be produced for the perusal of the learned Trial Court and he would not seek any further direction with respect to formal exhibition of the same before the learned Trial Court.

8. In view of the above, present petition is disposed of with the direction that when the matter is taken up by the learned Trial Court for the purpose of final arguments, the plaintiff would produce the above said complete booklet before the learned Trial Court for perusal of the Court. Learned Trial Court would consider the same and shall, after hearing the arguments from the sides and in light of the pleadings and evidence led by respective parties, disposed of the suit in accordance with law.

9. Petition stands disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

AUGUST 2, 2024/sw