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

+ **CM(M) 2311/2024**

MRS VIMLA DEVI

..... Petitioner

Through: Mr. Praveen Suri with Mr. Sagar
Nandwani, Advs.

versus

SHRI SUNIL DUA

..... Respondent

Through:

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

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08.04.2024

CM APPL. 20835/2024—exp.

1. Allowed, subject to all just exceptions.
2. Applications stands disposed of.

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3. The present petition under Article 227 of the Constitution of India has been filed impugning the order dated 22.03.2024 passed by the learned District Judge (Commercial Court-01), North West, Rohini, Delhi (hereinafter referred to as 'Trial Court'), in CS (COMM) No.329/2023 titled as "Vimla Devi vs. Sunil Dua", seeking directions to the learned Trial Court to decide the suit pending before it within a time frame of six months.

4. Learned counsel for the petitioner has prayed as follows:

"To call for the records of the Civil Suit (Comm.) no. 329/2023 in case titled as Smt. Vimla Devi versus Shri Sunil Dua, pending in the Court of Ms. Preeti Agrawal Gupta, District Judge



(Commercial Comm)-01, District: North West, Rohini Courts, Delhi;

b) To modify the order dated 22.03.2024 whereby the issue regarding the maintainability to be decided by the Court vide order dated 24.03.2024 is to modify to the extent that there is no requirements of reading any evidence with regard to the fact that the rate of rent is Rs.3,630/- per month from 28.03.2023 onwards;

c) To give directions to the Commercial Court, Civil Suit (Comm.) no. 329 I 2023 in case titled as Smt. Vimla Devi versus Shri Sunil Dua, pending in the Court of Ms. Preeti Agrawal Gupta, District Judge (Commercial Court)-01, District: North-West, Rohini Courts, Delhi for deciding the suit within a time frame of six months.”

5. Learned counsel for the petitioner submits that he is not pressing at the prayer (b) but is laying emphasis on prayer (c) that the learned Trial Court be ordered to decide the suit expeditiously within a time frame of six months.

6. In view of above submissions made, as learned counsel for the petitioner does not press prayer (b) and is only pressing prayer (b), learned Trial Court to expeditiously dispose of the suit being CS (COMM) No.329/2023 titled as “Vimla Devi vs. Sunil Dua” pending before it.

7. With above directions, petition stands disposed of.

SHALINDER KAUR, J

APRIL 8, 2024

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