



\$~84

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 3107/2024 & CM APPL. 44411-44413/2024**
MR AMAN MISHRAPetitioner

Through: Mr. Sohil Sharma, Advocate (Through
VC)

versus

M/S SUPRABHAT ELECTRIC CO PVT LTDRespondent
Through:

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
05.08.2024

%

1. Petitioner is defending a commercial suit before the learned Trial Court.
2. I have seen impugned order dated 27.04.2024. It is noticed that written statement filed by the defendant has been taken off the record and his defence has also been struck off on account of the fact that he has not cleared the cost of Rs. 20,000/-.
3. During course of arguments, learned counsel for petitioner also informs that mater is listed before the learned Trial Court today itself and right of the defendant to cross-examine the plaintiff has also been struck off. Learned counsel for petitioner states that it was only on account of some communication gap and financial handicap that the cost could not be cleared. He also states that there is no intention to delay the matter in any manner whatsoever.
4. During course of arguments, he also states that he would not only clear

CM(M) 3107/2024

1



the unpaid cost of Rs. 20,000/- but would also abide by any further cost to be imposed by learned Trial Court. He, therefore, prays that he may permitted to withdraw the present petition with liberty to file fresh application before the learned Trial Court seeking permission to deposit the cost and also to bear the additional cost.

5. Keeping in mind the above statement, present petition is dismissed as not pressed. Petitioner is given at liberty to move any such application, as undertaken above, within one week from today and without prejudice to his rights and contentions, he would also ensure that the unpaid cost is also cleared or deposited before the learned Trial Court within one week from today.

6. It is expected that as and when such application is moved, learned Trial Court considers the same as expeditiously as possible and in accordance with law.

MANOJ JAIN, J

AUGUST 5, 2024/dr