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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 3911/2024**
MS. VAISHALI SOOD AND ANOTHERPetitioners
Through: Petitioner No.1 in person.
versus
M/S CHOPRA LAND DEVELOPERS AND ORSRespondents
Through:

CORAM:
HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **26.11.2024**

CM APPL. 68780/2024 (exemption)

Allowed, subject to all just exceptions.

This application stands disposed of.

CM(M) 3911/2024 & CM APPL. 68779/2024 (stay)

1. The petition challenges the orders dated 21.09.2024 and 19.10.2024 passed by the learned District Judge-Commercial-02, New Delhi dismissing the applications of the petitioner under Section 151 CPC for sine die adjournment of the hearing on the ground of the ill health of the petitioner.
2. Petitioner No. 1 submits that she is involved in OMP (COMM) 6/2022 and OMP (COMM) 7/2020. She states that she had filed an application under Section 151 CPC for adjourning the petitions sine die for six months on the ground that her counsel has quit his services and is not returning the Court file despite requesting him. She further submits that the arbitral record is voluminous, running into 5000-6000 pages. She further states that she is suffering from unknown diseases and is also care giver to her mother, who is unwell and dependent on her. However, despite this, the learned Trial Court has dismissed her application and is proceeding to hear



the arguments on the petitions.

3. The Court has taken note of the order of the learned District Judge, as per which the Petition no. 07/2020 is amongst the 100 oldest cases in the South District. The Trial Court also took note that none of the documents produced by the petitioner show that she is suffering from any such illness, which may prevent her from undertaking her day to day work including contesting the present petitions. The Court has also taken due note that the petitioner has already filed her written submissions in the matter, and therefore, declined to entertain the request of the petitioner to adjourn the case sine die.

4. During submissions, petitioner informs that the Trial Court has already heard the arguments from the side of the respondent on 09.10.2024 and both the matters are now listed for further arguments on 17.12.2024. She submits that she wants to submit oral arguments before the Court and for such purpose seeks directions from this Court.

5. Even though there is no compelling reason to interfere with the order of the trial courts, keeping in view the entire facts and circumstances, as also the fact that the learned trial court has nowhere declined the opportunity to hear the arguments from the petitioner, the petition is disposed of with direction to the learned Trial court that the petitioner be granted an opportunity to submit oral arguments before the Court on the next date fixed i.e. 17.12.2024 before passing any further orders.

6. The petition accordingly stands disposed of.

RAVINDER DUDEJA, J

NOVEMBER 26, 2024/vp