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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO(OS) (COMM) 100/2018 & CM APPLs. 19359/2018,**
22454/2019

BATRA OIL COMPANY Appellant
Through: Mr I S Alag, Sr Adv with Mr J S
Lamba, Mr Neeraj Srivastava and Mr
Ashutosh Das, Advs.
versus

JUGAL BATRA & ORS Respondents
Through: Ms Apoorva Pandey with Mr Anand
Varma, Advs. along with R-2/Manoj
Batra.

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER
HON'BLE MR. JUSTICE AMIT BANSAL

ORDER
04.04.2024

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[Physical Hearing/Hybrid Hearing (as per request)]

1. This appeal is directed against the order dated 06.03.2018 passed by the learned Single Judge.
2. Mr I.S. Alag, learned senior counsel, who appears on behalf of the appellant, says that a limited relief is sought in the present appeal.
 - 2.1 It is Mr Alag's contention that the learned Single Judge dismissed the appellant's/plaintiff's application [i.e., I.A. no.7607/2016 in CS(COMM) 755/2016] without directing the respondents to file their accounts before the court.
 - 2.2 According to Mr Alag, this was important in view of the issue no.3 framed by the learned Single Judge *via* the impugned order i.e., the order
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dated 06.03.2018.

3. Ms Apoorva Pandey, counsel who appears on behalf of the respondents, on instruction of respondent no.2/Manoj Batra, i.e., the partner of respondent no.3/Batra Roadlines, says that the balance sheets commencing from the Financial Year (F.Y.) 2016-17, 2017-18, 2018-19, 2019-20, 2020-21, 2021-22, 2022-23 and 2023-24 can be filed in a sealed envelope, if so directed by the court.

3.1 Ms Pandey says that the audited balance sheets will be filed for the F.Y. 2016-17 to 2022-23 within two (02) weeks from the date of receipt of the order.

3.2 Insofar as the audited balance sheet *qua* F.Y. 2023-24 is concerned, Ms Pandey says that it will be filed within the next two (02) months.

4. Mr Alag says that as long as the respondent files the audited accounts for the aforesaid FYs in sealed envelope in the suit i.e. CS(COMM) 755/2016, the appellant would be satisfied.

4.1 It is directed accordingly.

4.2 Similar regime will follow year after year till the pendency of the suit.

5. The appeal is disposed of in the aforesaid terms.

6. Pending applications shall stand closed.

RAJIV SHAKDHER, J

AMIT BANSAL, J

APRIL 4, 2024/pmc

Click here to check corrigendum, if any

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