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IN THE HIGH COURT OF DELHI AT NEW DELHI

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RFA(COMM) 210/2024

M/S TRUE POWER SYSTEM LLP

.....Appellant

Through: Mr.Vaibhav Arora, Adv.

versus

M/S MARUTI OXIDE & CHEMICALS

.....Respondent

Through: Mr.Kuldeep Gola, Adv. alongwith the
sole proprietor of respondent.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

19.02.2025

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1. The present appeal under Section 13 of the Commercial Courts Act, 2015, was filed assailing the judgment and decree dated 13.03.2024 passed by the learned District Judge (Commercial Court) North District, Rohini Courts, Delhi, in CS (COMM.) 453/2021. Vide the impugned judgment, the learned Trial Court has decreed the suit preferred by the respondent/ plaintiff for a sum of Rs.15,74,772.42/- alongwith interest @ 9% p.a.
2. On 16.01.2025, when the appeal was taken up for consideration, learned counsel for the appellant had, on instructions from the appellant who was present in Court, submitted that the appellant would be willing to pay the principal decretal amount to the respondent in order to amicably resolve the matter. The appellant was, therefore, granted eight weeks' time to make the said payment in two equal installments as also file an affidavit of its managing partner



within four weeks. The matter was, therefore, adjourned for ensuring compliance of it's undertaking by the appellant.

3. It is an admitted position that till date, the appellant has neither filed the requisite affidavit nor paid any amount whatsoever, to the respondent.
4. In these circumstances, we have no other option but to dismiss the present appeal for non-compliance of order dated 16.01.2025.
5. The appeal is, accordingly, dismissed by making it clear that it will be open for the respondent to seek execution of the impugned judgment and decree as per law.

REKHA PALLI, J

MANOJ JAIN, J

FEBRUARY 19, 2025

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