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

+ CM(M) 1601/2025 & CM APPL. 52714-52716/2025

DELHIVERY LIMITED

.....Petitioner

Through: Mr. Naman Joshi, Mr. Rahul, Mr.
Verdaan Jain, Advs.

versus

FENDA AUDIO INDIA PRIVATE LIMITED

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

25.08.2025

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1. Petitioner is plaintiff before learned Trial Court and the case is at the stage of final arguments.
2. Mr. Naman Joshi, learned counsel for petitioner submits that since he was unwell and he merely wanted to address arguments, virtually, but the learned Trial Court has insisted for appearing physically to address the same.
3. Such order is under challenge.
4. When asked Mr. Naman Joshi, learned counsel for petitioner, submitted that, at the moment, he is fit enough to address final arguments. He submits that the next date before learned Trial Court is 09.09.2025 for consideration and judgment and he can appear before the learned Trial Court date physically and address arguments. He, however, submits that on account of some nomination, he would not be in India from 28.08.2025 to

CM(M) 1601/2025

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18.09.2025.

5. After hearing arguments for some time, learned counsel for petitioner does not press the present petition with liberty to move an application before the learned Trial Court seeking either preponement of the date prior to 28.08.2025 or to have the matter for final arguments to a date subsequent to 18.09.2025.

6. Accordingly, present petition is disposed of as not pressed, with liberty to petitioner to move appropriate application before learned Trial Court seeking change in date.

7. This Court expects that as and when any such application is moved by petitioner seeking change in date for addressing final arguments, learned Trial Court shall consider the same, in accordance with law, while also keeping in mind the fact that the defence of the defendant is already lying struck off.

8. Needless to state, plaintiff would be at liberty to address final arguments while appearing physically.

9. A copy of this order be given *dasti* under signatures of the Court Master.

10. Pending applications also stand disposed of in aforesaid terms.

MANOJ JAIN, J

AUGUST 25, 2025/ck/js



This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

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