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

+ **FAO (COMM) 266/2025, CM APPL. 58025/2025 (For Stay) &  
CM APPL. 58026/2025 (For Exemption)**

**M/S G3 IMAGING AND HEALTH SERVICES PVT LTD**  
.....Appellant

Through: **Mr. M. Tarique Siddiqui,  
Mr. Abhishek Kumar Tanwar &  
Ms. Lakshmi Advocates.**

versus

**SHRI SURINDER SINGH & ANR.** .....Respondents  
Through: **Nemo.**

**CORAM:**  
**HON'BLE MR. JUSTICE ANIL KSHETARPAL**  
**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN**  
**SHANKAR**

**ORDER**  
**12.09.2025**

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1. The present Appeal filed under Section 13(1A) of the Commercial Courts Act, 2015 read with Order XLIII Rule 1 of the Code of Civil Procedure, 1908 challenges the Orders dated 07.07.2025 & 12.08.2025 passed by learned District Judge, Commercial Court-08, South-East District, Saket Courts, New Delhi in CS(COMM) 136/2025.
2. The Appellant is a tenant of the Respondents who have filed a suit for declaration, recovery of possession, recovery of rent and other consequential reliefs.
3. During the pendency of the suit, an application was filed by the landlords seeking issuance of directions to the Appellant to pay the agreed rent and the learned District Judge ordered the same.



4. Learned counsel for the Appellant contends that the tenancy consists of ground floor and basement of the building, and the basement due to seepage is not usable. He further submits that the Appellant has already paid the rent *qua* ground floor.

5. This Court has considered the submissions of learned counsel for the Appellant.

6. The tenancy in favour of the Appellant is one for ground floor and basement. It is also not in dispute that the machines installed by the Appellant exist in the basement, hence, the Appellant is using the tenanted premises.

7. Learned counsel for the Appellant further contends that the Appellant has already filed counter-claim.

8. Be that as it may, the Court has only directed the Appellant to pay the agreed rent.

9. Keeping in view the aforesaid facts, there is no ground to interfere with the Impugned Orders.

10. Accordingly, the present Appeal, along with the pending application(s), if any, is dismissed.

**ANIL KSHETARPAL, J.**

**HARISH VAIDYANATHAN SHANKAR, J.**  
**SEPTEMBER 12, 2025/tk/kr**