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

+ **CM(M) 389/2018 & CM APPL. 13292/2018**

KWALITY APARTMENTS PVT LTD & ORSPetitioner

Through: Mr. Mandeep Singh Vinaik with Mr. S
K Sagar, Mr. Gaikhunalung,
Advocates.

versus

RAVINDER KUMAR SURIRespondent

Through: Mr. Vibhor Garg with Mr. Achin
Mittal, Mr. Mohak Sharma, Mr.
Aditya Parmar, Ms. Diksha Kakkar,
Ms. Yadavi Malhotra, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **14.08.2025**

1. After hearing arguments for some time, learned counsel for petitioner does not press the present petition. He, however, submits that in terms of the specific averments made by the plaintiff in paragraph 32 of the plaint, at the time of final adjudication, learned Trial Court can still consider the sum and substance of the entire plaint and then return a finding as to what would be the actual starting point of *cause of action* for the purposes of filing suit in question.

2. Learned counsel for respondent submits that though the averments made in plaint are amply clear and reflect everything, he would have no objection to the abovesaid.

3. The present petition is, accordingly, dismissed as not pressed and it is also clarified that the learned Trial Court, at the time of final adjudication would be at liberty to take appropriate decision as to what was the actual starting point of accrual of cause of action for the purposes of institution of the



suit in question.

4. Petition stands dismissed as withdrawn.
5. All rights and contentions of the parties are reserved.
6. Needless to say, this Court has not made any observation on merit about the abovesaid aspect and, therefore, the learned Trial Court shall take such decision, without being influenced by this Order.

MANOJ JAIN, J

AUGUST 14, 2025/sw/SHS