



2026:DHC:3321



\$~58

* **IN THE HIGH COURT OF DELHI AT NEW DELHI***Date of Decision: 21st April, 2026*

+ CM(M) 859/2026, CM APPL. 25228/2026 & CM APPL. 25227/2026

RAMESH TIWARI

.....Petitioner

Through: Mr. Arun Baali and Ms. Arisha Ahmad, Advocates.

versus

AMIT AGARWAL

.....Respondent

Through: Mr. Sidhant Kapur and Ms. Kaveri Kapur, Advocates.

CORAM:**HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA****ORDER (Oral)****Rajneesh Kumar Gupta, J.**

1. This hearing has been conducted through hybrid mode.
2. The present petition has been filed on behalf of the petitioner under Article 227 of the Constitution of India, 1950, assailing the order dated 11th March, 2026, passed by the learned Trial Court in CS DJ No. 570/2024, whereby the issues have been framed in the suit but the grievance of the petitioner is that an additional issue is required to be framed with respect to the period of limitation.
3. Learned Counsel for the respondent appears on advance notice and accepts notice.
4. Heard. Record perused.
5. Perusal of the written statement shows that the petitioner has specifically taken a preliminary objection that the suit is barred by limitation.



2026:DHC:3321



6. Keeping in view the facts and circumstances of the case, this Court is of the opinion that an additional issue is required to be framed in the suit. Accordingly, the following additional issue is framed in the suit:

Issue No. 7A: Whether the suit is barred by period of limitation, as alleged by the defendant in his written statement. OPD.

7. Accordingly, the present petition stands disposed of in above terms. Pending application(s), if any, also stand disposed of.

RAJNEESH KUMAR GUPTA, J

APRIL 21, 2026/nd/tp