

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF OCTOBER 2020

BEFORE

THE HON'BLE MR. JUSTICE NATARAJ RANGASWAMY

MISCELLANEOUS FIRST APPEAL NO.4536 OF 2020 (CPC)

BETWEEN:

MR. VAIBHAV CHHABRA
S/O LATE INDER PAL CHHABRA
AGED ABOUT 34 YEARS
RESIDING AT G-805, TOWER G
8TH FLOOR, VVIP ADDRESSES
RAJ NAGAR EXTENSION, N.H.58
GHAZIABAD, UTTAR PRADESH 201 017

... APPELLANT

[BY SMT. NITYA KALYANI P, ADVOCATE]

AND:

1. M/S ACUMEN TECHNICAL ADVISORY PRIVATE
LIMITED
NO.1201, 2ND FLOR, DIVYA SHAKTI BUILDING,
100 FT, INDIRANAGAR, HAL 2ND STAGE,
BENGALURU – 560 038.
2. MR. MANISH KUMAR SINGH
S/O LATE MR. RAM KUMAR SINGH
AGED ABOUT 40 YEARS,
No.C-006, NCC MEADOWS,
DODDABALLAPUR ROAD,
YALAHANKA, BENGALURU – 560 064.

3. MTA SERVICES LLP,
NO.15, NEW GANDHI NAGAR,
GHAZIABAD,
UTTAR PRADESH 201 001.

... RESPONDENTS

[BY Ms. MANEESHA KONGOVI, ADVOCATE FOR C/R-1)

THIS MISCELLANEOUS FIRST APPEAL IS FILED UNDER ORDER XLIII RULE 1 (r) OF CPC, PRAYING TO SET ASIDE THE IMPUGNED ORDER DATED 29.09.2020 PASSED IN O.S. NO.4445/2020, ON THE FILE OF THE LII ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, BENGALURU PRODUCED AT ANNEXURE-A AND ETC.,

THIS APPEAL COMING ON FOR ORDERS THIS DAY, THE COURT THROUGH VIDEO CONFERENCE DELIVERED THE FOLLOWING:

ORDER

This appeal is filed challenging an ex-parte interim order granted by the Trial Court. The appeal is not accompanied by copy of the plaint and other documents. Hence this Court cannot consider the appeal on merits.

2. In view of the fact that the appellant has not filed her written statement and has not placed on record documents in support of her contention, ends of justice would be met by directing the appellant to appear before

the trial Court on 02.11.2020 by filing necessary application to advance the case and file her written statement and an application for vacating the interim injunction granted by the trial Court. Having regard to the urgency pleaded by the parties, the trial Court is requested to consider the application and dispose it of by 10.11.2020. With these observations, this appeal is ***disposed of.***

It is needless to state, that learned counsel for the appellant and the respondent shall be present before the Trial Court on 02.11.2020 and furnish a copy of this order to the Trial Court.

Sd/-
JUDGE

mbb