

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 17465/2026

[Arising out of impugned final judgment and order dated 04-05-2026 in CMAPPL No. 29526/2026 passed by the High Court of Delhi at New Delhi]

M/S ISHA INDUSTRIES

Petitioner(s)

VERSUS

PARVEEN MAHAJAN

Respondent(s)

(IA No. 150227/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 27-07-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN
HON'BLE MR. JUSTICE ARUN PALLI

For Petitioner(s) :

Mr. Anubhav, AOR
Mr. Yashwant Singh Yadav, Adv.
Mr. Vijay Pal, Adv.
Mr. Deepankar, Adv.
Mr. Sanjeev Kumar Goyal, Adv.
Mr. Vinay Kumar Aherodiya, Adv.
Mr. Rohit Dayma, Adv.
Mr. Arvind Kumar, Adv.

For Respondent(s) :

Mr. Viresh B. Saharya, AOR
Mr. Gaurav Mahajan, Adv.
Mr. Akshat Agarwal, Adv.
Mr. Rishabh Mathur, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Heard Mr. Anubhav, learned counsel appearing for the petitioner and Mr. Viresh B.Saharya, learned counsel appearing for the respondent.

2. When the matter came up on 19th May, 2026 the Court made the following order:

"1. Heard Mr. Anubhav, learned counsel for the petitioner(s).

2. Learned counsel for the petitioner contends that on 03.05.2025 petitioner was set ex-parte in the suit. On 11.07.2025, petitioner filed petition/application under Order 9 Rule 7 of the Code of Civil Procedure (for short, 'CPC'). On 21.10.2025, the Trial Court dismissed the application/petition under Order 9 Rule 7 read with Section 151 of the CPC. Applications for review and recall were also dismissed on 24.12.2025. Challenging both the orders petitioner filed C.M. (Main)No.168/2026 before the High Court. In the meantime, on 09.04.2026, the Trial Court close the evidence and listed the matter for arguments on 11.05.2026. Petitioner moved an interim application in the High Court seeking a direction to the Trial Court to adjourn the proceedings beyond the next date of hearing before the High Court. The High Court having declined, the petitioner is before this Court.

3. Issue notice, returnable on 27th July, 2026.

4. Till the next date of hearing, there shall be stay of further proceedings in CS(Commercial)No.801/2024 pending before the District Judge (Commercial Court)-01, West, Tis Hazari Courts, Delhi.

5. List on 27th July, 2026."

3. Today, learned counsel for the petitioner informs us that the Trial Court has posted the matter on 4th August, 2026 and the matter before the High Court is listed on 10th August, 2026. The grievance of the learned counsel for the petitioner is that the High Court is examining the correctness of the order dated 16th October, 2025 when the petitioner's application under Order IX Rule 7 of the Code of Civil Procedure, 1908 and the order dated 24th December, 2025 refusing to review and recall the order 16th October, 2025. Learned counsel submits that if the trial proceeds in the meantime, the proceedings before the High Court will become infructuous.

4. Considering the fact that the High Court has listed the matter on 10th August, 2026, we request the High Court to make an endeavor to conclude the matter on 10th August, 2026 or such other earlier date as the High Court may decide to post the matter.

5. Till such time the High Court decides the matter, there shall be stay of operation of the proceedings before the Trial Court in case being C.S. (Commercial) No.801 of 2024 pending before the District Judge (Commercial Court)-01 West, Tis Hazari Courts, Delhi.

6. With the above observations, the Special Leave Petition is disposed of.

7. Pending application shall also stand disposed of.

(ANITA MALHOTRA)
DEPUTY REGISTRAR

(MANOJ KUMAR)
COURT MASTER