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

+ **RFA 623/2023, CM APPLs. 39995-98/2023**

M/S V. K. POWERCON PVT. LTD. Appellant

Through: Mr Nimish Chib, Advocate

versus

SMT. KUSUM & ORS. Respondents

Through: Mr Rishab Raj jain, Advocate for
BSES Yamuna Power Ltd./R-5
Mr Naresh Kumar Beniwal and Mr
Nikhil, Advocates for GNCTD/R-6
Mr Dhruv Chawla, Advocate for
MCD/R-7

CORAM:

HON'BLE MS. JUSTICE POONAM A. BAMBA

ORDER

% **07.08.2023**

1.0 Vide this appeal, the appellant is assailing judgment dated 09.01.2023 passed by the learned Additional District Judge-01, Shahdara District, Karkardooma District Court in CS No. 2421/2016, whereby the appellant (defendant no. 4 before the learned trial court) was held jointly and severally liable with BSES (defendant no. 2 before the learned trial court) directing as under:

“a. The suit is decreed in favour of the plaintiffs and against Defendants No.2 and 4 jointly and severally for an amount of Rs. 2,11,99,501- (Rupees Twenty One Lac Nineteen Thousand Nine Hundred Fifty Only) along with pendente lite and future interest @ 9% per annum from the date of filing of the suit till realization with costs of the suit. Defendant no.2 and 4 are also directed to pay Rs.70,000/-



to the plaintiffs jointly and severally as observed in para 51 of this judgment.”

2.0 Subject to deposit of the decretal amount, issue notice to the respondents through all permissible modes on necessary steps being taken by the appellant.

3.0 Mr Rishab Raj Jain, Mr Naresh Kumar Beniwal and Mr Dhruv Chawla, learned counsel appear on behalf of the respondents no. 5, 6 and 7, respectively and accept notice.

4.0 List on **15.04.2024**.

POONAM A. BAMBA, J

AUGUST 7, 2023
g.joshi

Click here to check corrigendum, if any