

111 RSA-284-2021 (O&M)

M/S UNIVERSAL BUILDWELL PVT. LTD.  
VS  
M/S M3M INDIA PVT. LTD.

Present: Mr.Ashish Aggarwal, Senior Advocate, with  
Mr.M.S.Dalal, Advocate, and  
Mr.Deepankur Sharma, Advocate, for the appellant.

The matter has been taken up through video conferencing.

Learned senior counsel *inter alia* contends that the Trial Court erred in decreeing the respondent's suit *ex parte* as the procedure prescribed under Order 5 Rules 9, 17 and 18 C.P.C. was not followed; since the subject matter of the suit was beyond Rs.1 crore, under Section 3(c) of the Commercial Courts Act, 2015 the civil Court had no jurisdiction to even entertain the respondent's suit and that the respondent and the original defendant, who is being represented today through the Resolution Professional, have colluded for wrongful gain at the cost of innocent investors.

Notice of motion for 19.07.2021.

In the meanwhile, status quo with regard to the nature and ownership of the suit property be maintained.

04.05.2021  
shamsher

[DEEPAK SIBAL]  
JUDGE