

IN THE JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY
COURT NO. 13

AIRPORT BUSINESS CENTER I, LLLP	§	
Plaintiff Below,	§	
Appellee	§	
	§	C.A. No. JP13-26-000188
VS	§	
	§	
GURU KIRPA, INC.	§	
Defendant Below,	§	
Appellant	§	

Submitted: May 21, 2026
Decided: June 5, 2026

APPEARANCES:

Plaintiff/Appellee, AIRPORT BUSINESS CENTER I, LLLP, by Jeffrey M. Weiner, Esquire

Defendant/Appellant, GURU KIRPA, INC., by Charles J. Brown, III, Esquire
Margaret M. Manning, Esquire

PANEL:

Sean McCormick, Deputy Chief Magistrate

James Hanby, Justice of the Peace

Peter Burcat, Justice of the Peace

IN THE JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY
COURT NO. 13

CIVIL ACTION NO: JP13-25-000188

AIRPORT BUSINESS CENTER I, LLLP
VS
GURU KIRPA, INC.

ORDER ON *TRIAL DE NOVO*

The Panel has entered an Order in the following form:

Procedural and Factual Background

On April 22, 2026, the Parties appeared for a trial in this commercial Landlord-Tenant matter. On April 27, 2026, the Court entered a Judgment in favor of Plaintiff, awarding Plaintiff a monetary recovery and possession of the rental property. On May 1, 2026, Defendant filed a Request for a *Trial de Novo* (“TDN”). A TDN was scheduled for May 21, 2026.

On May 21, 2026, Plaintiff/Appellee AIRPORT BUSINESS CENTER I, LLLP, by and through its counsel, Jeffrey M. Weiner, Esquire, appeared via *Zoom*. Defendant/Appellant GURU KIRPA, INC., by and its counsel, Margaret M. Manning, Esquire, likewise appeared via *Zoom* for the TDN. Prior to commencement of the TDN, Ms. Manning was asked by the Panel what the defense would be to Plaintiff/Appellee’s claim for past due rent. Ms. Manning referred the Panel to a copy of a “Landlords Waiver dated July 22, 2019” filed by counsel on May 20, 2026 for the TDN. While the filing was not timely, the Panel did take Judicial Notice the same document had been submitted by counsel in advance of the trial below. The Panel reviewed the Waiver and noted Plaintiff had granted “a continuing lien and security interest to Cadence Bank N.A. (‘Lender’)” for accounts relating to the commercial property at issue herein. Upon inquiry from the Panel, Mr. Weiner stated the Lender had been placed on notice regarding the present matter, but the Lender was not pursuing its potential primary interest, and would not be interjecting itself into the case. Ms. Manning stated the defense based on the Waiver and improper party of interest would be the only defense presented.

Findings

The only defense Defendant/Appellant presented in the TDN was the claim Plaintiff/Appellee had waived their claim to past due rent, and the real party in interest to collect any rents that may be due

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and owing would be Cadence Bank N.A.. A review of the Waiver submitted to the Panel as evidence included the following term and condition:

Any and all liens, claims, demands, or rights, including but not limited to the right to levy or distrain for unpaid rent, which the Undersigned now has or hereafter acquires on or in any of the Collateral, whether arising by statute, common law or otherwise, shall be subordinate and inferior to the lien, and security interest of Lender . . .

In accordance with this provision, Plaintiff/Appellee notified the Lender, Cadence Bank N.A., of the action to recover rent from Defendant/Appellant. Mr. Weiner advised the Panel Cadence Bank N.A. was not exercising their superior right to interject in this matter. Therefore, as per the provision noted above, the inferior right of Plaintiff/Appellee to pursue the past rent claim is valid and enforceable.

Absent any other defense to the rent claim, there was no need to hear any testimony.

Judgment

Based upon the foregoing, the Panel affirms the Judgment of the trial court below. Plaintiff/Appellee has 30 Days from the date of this signed decision to file a request for the *Writ of Possession*.

IT IS SO ORDERED 05th day of June, 2026

/s/ Sean McCormick

Deputy Chief Magistrate

On Behalf of Three Judge Panel



Information on post-judgment procedures for default judgment on Trial De Novo is found in the attached sheet entitled Justice of the Peace Courts Civil Post-Judgment Procedures Three Judge Panel (J.P. Civ. Form No. 14A3J).

**JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY
COURT NO. 13**

**COURT ADDRESS:
2 PENNS WAY SUITE 203
NEW CASTLE DE 19720**

**CIVIL ACTION NO:
JP13-26-000188**

AIRPORT BUSINESS CENTER I, LLLP, PLAINTIFF V. GURU KIRPA, INC., DEFENDANT

Plaintiff Parties:

ATTORNEY FOR PLAINTIFF
SYSTEM ID: 000403
MR. JEFFREY M WEINER
LAW OFFICES OF JEFFREY M. WEIN
1332 KING STREET
WILMINGTON, DE 19801

PLAINTIFF

SYSTEM ID: @4265042
AIRPORT BUSINESS CENTER I, LLLP
C/O EMORY HILL
10 CORP. CIRCLE, #100
NEW CASTLE, DE 19720

Defendant Parties:

ATTORNEY FOR DEFENDANT
SYSTEM ID: 003368
CHARLES J BROWN III.
GELLERT SEITZ BUSENKELL & BROW
1201 N. ORANGE STREET
SUITE 300
WILMINGTON, DE 198010000

DEFENDANT

SYSTEM ID: @4265043
GURU KIRPA, INC.
REG. AGENT, INCORP SERVICES, I
131 CONTINENTAL DRIVE, #301
NEWARK, DE 19713

Other Case Parties:

**JUSTICE OF THE PEACE COURT
CIVIL POST- JUDGMENT PROCEDURES
THREE JUDGE PANEL**

[This information is not legal advice and not a substitute for seeking legal advice from an attorney. This information is not binding on the court if incorrect or misunderstood. It relates to frequently asked questions concerning post-judgment procedures but does not address all of the possible procedures and may not apply in your particular case. Forms for these procedures may be obtained from any Justice of the Peace Court civil location. All motions must include the name of the court, the names of the parties, the case number, the date the motion is filed with the Justice of the Peace Court and a title indicating the reason for the motion. Court costs or fees must accompany the motion, unless the person has requested, and the court determined, that the person may proceed in forma pauperis (without paying costs or fees or posting bond because they have no money to pay).]

All payments should be made directly to the prevailing party. The Court does not accept payment on judgments.

Pursuant to 10 Del. C. § 9567(b), prevailing parties are reminded of their duty to file a satisfaction of the judgment within 90 days of payment in full.

FAILURE OF A PARTY TO APPEAR FOR THE PANEL TRIAL

As provided by Justice of the Peace Civil Rule 72.1(f), if the Appellant (the party who requested the appeal trial) or both parties fail to appear for the trial, the judgment of the court below shall stand unless the Appellee appears and has filed a counterclaim.

If the Appellee (the party against whom the appeal was taken) fails to appear and a DEFAULT JUDGMENT is entered, that party may file a Motion To Vacate the judgment pursuant to Justice of the Peace Civil Rule 60. The Motion must show; (1) the Appellee's failure to appear was the result of actions of a reasonably prudent person; and (2) the outcome would be different if the trial were held; and (3) the party that appeared would not be prejudiced by having the trial. The Motion must be filed within 10 days, starting the day after the judgment was signed by the De Novo Panel. **A FEE OF \$15.00 MUST ACCOMPANY THIS MOTION.**

MOTION FOR A NEW TRIAL

Either party has 10 days, starting the day after the judgment was signed by a Judge, to file a Motion For A New Trial as provided under Justice of the Peace Court Civil Rule 59. This Motion shall be in writing and shall briefly and succinctly state the reasons for the request. A Motion For A New Trial will be heard by the Panel of Judges who originally heard the case. The reasons for which a new trial may be granted are limited. For example, the reason given for requesting a new trial may be newly discovered evidence. However, for the Panel to grant a motion for a new trial based upon newly discovered evidence, the party requesting the new trial must show all of the following: (1) the newly discovered evidence is important enough to change the result in the case; (2) the evidence could not have been discovered prior to the original trial with reasonable investigation; and (3) the evidence does not merely repeat or dispute evidence presented in the original trial. **A FEE OF \$15.00 MUST ACCOMPANY THIS MOTION.**