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

+ CS(OS) 524/2024

ANI MEDIA PVT. LTD.Plaintiff

Through: Mr.Sidhant Kumar & Mr.Om
Batra, Advs.

versus

WIKIMEDIA FOUNDATION INC & ORS.Defendants

Through: Mr.Rajiv Nayyar, Sr. Adv. with
Mr.Nikhil Narendran, Ms.Tine
Abraham & Mr.Thomas, Advs.
for D-1.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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20.08.2024

I.A. 36728/2024

1. This application has been filed under Order VI Rule 17 read with Section 151 of the Code of Civil Procedure, 1908, praying for leave to amend the plaint.
2. Issue notice.
3. Notice is accepted by Mr.Nikhil Narendran, learned counsel on behalf of defendant no.1.
4. The learned counsel for the plaintiff submits that the amendment sought is merely explanatory in nature and as the suit is at the initial stage, the same should be allowed.
5. The learned senior counsel for the defendant no.1, on the other hand, submits that certain new averments are sought to be incorporated in the suit.
6. I have considered the submissions made by the learned counsels for the parties.



7. As the suit is at an initial stage with the defendant no.1 just having been served with the summons, it would be in the interest of justice that the suit is allowed to be amended to bring the entire case of the plaintiff on record.

8. Accordingly, the application is allowed.

9. The amended plaint is taken on record.

CS(OS) 524/2024 & I.A. 32611/2024

10. The learned counsel for the plaintiff submits that defendant nos.2 to 4 are claimed to be the 'Administrators' of defendant no.1.

11. Learned senior counsel for defendant no.1 submits that they have no connection with defendant nos.2 to 4.

12. Keeping in view the above submissions, defendant no.1 is directed to disclose the subscriber details of defendant nos.2 to 4 to the plaintiff, through its counsel, within a period of two weeks from today. On receipt of the said information, the plaintiff shall take steps for ensuring service of summons and notice on the application on the said defendants.

13. Written statement be filed by defendant no.1 within the prescribed period. Reply to the application be also filed within a period of three weeks from today.

14. Defendant nos.2 to 4 upon service may also file their written statement(s) within the prescribed period. Reply(ies) to the application be also filed within a period of three weeks of receipt of notice on the application.

15. Replication/rejoinder be filed within a period of two weeks of receipt of copy of the reply(ies)/written statement(s).



16. List before the Court on 25th October, 2024.

NAVIN CHAWLA, J

AUGUST 20, 2024/rv/as

Click here to check corrigendum, if any