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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(COMM) 654/2019

MR. ANIL RATHI

..... Plaintiff

Through: Ms.Mehak Dua, Adv.

versus

SHRI SHARMA STEELTECH (INDIA) PVT. LTD. & ORS.

..... Defendants

Through: Mr.Vasu Goyal, Adv. for D-2 & 3
Mr.Subhash Chawla, Adv. for D-4 to
8

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. PURSHOTAM PATHAK
(DHJS)**

ORDER

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25.05.2022

**I.A. No.2994/2022 filed by plaintiff under Order XXII Rule 2
CPC for taking the LR's of deceased defendant no.11 on record**

The present application has been filed by the plaintiffs for bringing on record the LR's of deceased defendant no.11.

Learned counsel for plaintiffs submits that LR's no.11(i) to 11(iii) of deceased defendant no.11 are already on record as defendants no.12, 13 & 14.

Learned counsels for defendant no.2 & 3 and defendants no.4 to 8 submits that they have no objection to the present application.

As per affidavit of service filed by plaintiff, all the LR's of deceased defendant no.11 have already been served. In spite of service, no reply has been filed by LR's no.11(i) to 11(iii) of deceased



defendant no.11 and even none has appeared on their behalf to explain in this regard. Hence, right to file the reply is closed.

Considering the facts and circumstances and in view of the fact that there is no opposition to the application, the same is allowed, the defendant no.11 is deleted from array of parties and the LRs of deceased defendant no.11 are permitted to be brought on record.

Let the amended memo of parties be filed.

I.A. stands disposed of.

I.A. No.12563/2021 filed by Plaintiff under Order 39 Rule 2(A) CPC

Learned counsel for the plaintiff submits that she has already filed fresh addresses of the contemnors no.2 to 7 (Directors of contemnor no.1) vide diary no.48598/2022.

Let fresh notice be issued to the contemnors no.2 to 7 on the latest address filed by the plaintiff on filing of PF and through all permissible modes including e-mail, returnable by next date of hearing.

Put up for next date of hearing.

I.A. No.7410/2020 filed by plaintiff under Order 39 Rule 1 & 2 CPC

Pleadings qua defendant no.8 and proposed defendants no.18 to 20 are complete.

Remaining defendants have not filed their replies despite service. Sufficient opportunities have already been given. Opportunity of remaining defendants to file reply is hereby closed.

Pleadings stand complete.



Put up for next date of hearing.

I.A. No.7439/2020 filed by plaintiff for impleadment of defendants no.18 to 20

Pleadings qua proposed defendants no.18 to 20 are complete.

Remaining defendants have not filed their replies. Sufficient opportunities have already been given. Opportunity of remaining defendants to file reply is hereby closed.

Pleadings stand complete.

Put up for arguments on next date of hearing.

Crl. M.A. No.16546/2020 filed by defendant no.8 under Section 340 Cr.PC.

Rejoinder not filed by defendant no.8/applicant. Let the same be filed within three weeks with advance copy to opposite party.

Put up for completion of pleadings on next date of hearing.

CS(COMM) 654/2019

Pleadings between plaintiff and defendants no.1 to 8 is complete.

Defendant no.17 has refused to receive the summons. Refusal amounts to service, hence defendant no.17 stands served.

Defendants no.9 to 17 have not filed their written statements despite service. Sufficient opportunities have already been granted to defendants no.9 to 17 to file written statement. Hence, their opportunity to file written statement is hereby closed.



In view of I.A. No.7439/2020, re-notify for further proceedings
on 01.09.2022.

MAY 25, 2022/tp

PURSHOTAM PATHAK (DHJS), J

Click here to check corrigendum, if any