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

+ **CS(COMM) 124/2024**

ITC LIMITED

.....Plaintiff

Through: Mr. Arvind Nayar, Senior Advocate,
Ms. Suhrita Majumdar, Mr. Afzal B.
Khan, Mr. Debjyoti Sarkar, Mr.
Sharad Besoya, Mr. Amit Mishra,
Ms. Mitakshara Goyal, Mr. Aryan
Tikoo and Mr. Akshay Joshi,
Advocates.

versus

**GOLD STEP TOBACCO
PRIVATE LIMITED & ORS.**

.....Defendants

Through: None

**CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL**

**ORDER
02.05.2025**

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I.A. 11023/2025 (seeking modification of order dated 25th April, 2024)

1. This application has been filed by the plaintiff seeking modification/clarification of the order passed by this Court on 25th April, 2025 to include directions for the personal appearance of defendant no.11, Mr. Raj Kumar Sultania @ Raju Sultania, on the next date of hearing, i.e. 17th September, 2025.
2. To be noted, *vide* order dated 21st October 2024, the Predecessor Bench directed the defendant no.11 to be present in Court on the next date of hearing, i.e. 20th November 2024. The relevant extracts from the order dated



21st October 2024 are set out below:-

“8. The addresses of defendant no.11, as given in the Memo of Parties, as also provided by learned counsel for the plaintiff, are as follows:

*• Village Hadsa, Hisua,
District: Nawada - 805103, Bihar
(Police Station - Hisua)*

*• Raj Kumar Sultania @ Raju Sultania
R/o Ghagha Gali, Patna City, Bihar-800008
Police Station- Khajekalan, District- Patna
Jurisdictional S.P. – Patna City*

9. Copy of this order shall be sent by the Registry of this Court to the Superintendent of Police, Patna, Bihar, as well as Superintendent of Police, Village Hadsa, Hisua, District: Nawada-805103, Bihar, Police Station- Hisua, in order to serve copy of the present order to defendant no.11, for his appearance before this Court, on the next date of hearing. Plaintiffs are also at liberty to do the needful.”

3. Despite the aforesaid directions, defendant no.11 did not enter appearance before this Court on the subsequent dates, i.e., on 20th November, 2024 and 31st January, 2025.

4. It is stated that on the last date of hearing before this Bench on 25th April, 2025, a direction was issued for the appearance of defendant no. 11 on the next date of hearing.

4.1. However, the same has not been recorded in the said order.

5. I am in agreement with the submission of counsel for the plaintiff. Inadvertently, the direction for the presence of defendant no. 11 has not been recorded in the aforesaid order.

6. Accordingly, it is directed that defendant no.11 shall be personally



present in Court on the next date of hearing.

7. Counsel for the plaintiff shall take steps, as detailed in the order passed on 21st October, 2024, in order to ensure the appearance of defendant no. 11 before this Court on the next date of hearing.

8. The application is disposed of.

AMIT BANSAL, J

MAY 02, 2025/kd