

TM No. 82/17
Januki Kumar and ors vs. V.K International

26.09.2023

Present: Sh. Pranay Sarkar, Ld. Counsel for the plaintiff.
None for the defendant no. 1 and 2.
Ms. Kanika Goel, Ld. counsel for the defendant no. 3.
Defendant no. 4 already deleted from the array of parties.

Though WS on behalf of the defendant no. 1 was filed however nobody is present on behalf of the defendant no. 1.

Ld. Counsel for the plaintiff submits that his application under Order 1 Rule 10 CPC is pending disposal.

At this stage, Ld. Counsel for the proposed defendant no. 3 i.e. M/s Rakesh Plastic submits that they are willing to settle the matter with the plaintiff and requests that they may be allowed to settle the matter out of the Court so that the matter is amicably resolved.

Ld. Counsels have exchanged their numbers and would intimate the Court on or before the NDOH with respect to the settlement.

Perusal of the record shows that an application under Order 7 Rule 11 CPC as filed by the defendant no. 1, pleadings *qua* which are complete and two other applications one under Order 1 Rule 10 CPC and another under Order 6 Rule 17 CPC filed by the plaintiff are pending disposal.

It is submitted by the Ld. Counsel for the plaintiff that the application under Order 1 Rule 10 CPC is intrinsically connected with the application under Order 6 Rule 17 CPC.

Ld. Counsel for the proposed defendant no. 3 submits that she has already filed her reply to the application under Order 1 Rule 10 CPC.

Now to come up for report of the settlement out of Court and for arguments on all the pending applications on **098.11.2023**.

(Sachin Sood)
ADJ- 01 (Central),
THC, Delhi, 26.09.2023