

CS No. 1423/16

19.03.2016

Present:- Sh. Vireshwar Tyagi, Ld. Counsel for the plaintiff

Defendant no. 1, 2 and 3 are ex parte.

Sh. BL Sharma, Ld. Counsel for the defendant no. 4.

Arguments on the application of the defendant no. 4 under Order 1 Rule 10 CPC heard.

It has been prayed that the name of defendant no. 4 be deleted from the array of parties as there is no cause of action qua him as disclosed in the entire plaint.

Ld. Counsel for the plaintiff has opposed the said application, however, on perusal of the record it is observed that there are no allegations or any cause of action as disclosed against defendant no. 4 in the plaint. He is neither the director nor has any concern with the defendant no. 1 company. Accordingly, the application is allowed and the name of the defendant no. 4 is deleted from the array of defendants. Application stands disposed of accordingly.

Let amended memo of parties be filed on or before the next date of hearing.

Another application of the plaintiff under Order 6 Rule 17 CPC is on record, however, at this stage, Ld. Counsel for the plaintiff wants to withdraw the said application with liberty to file the fresh application. His statement recorded separately to this effect.

In view thereof, the application under Order 6 Rule 17 CPC of the plaintiff is dismissed as withdrawn with liberty to file afresh.

Put up for further proceedings on 15.05.2018.

(Sanjay Sharma-I)
Addl. District Judge-02(East)
Karkardooma Courts- 19.03.2018