

CS30/24

RAJESH GULATI Vs. PAWAN KUMAR GOEL

29.10.2024

Present: Sh. Ankit Gupta and Sh. Lalit Sahu, Ld. Counsel for
plaintiff with plaintiff.
D-1 not served.
None for D-2 despite service.

None has been appearing for D-2 for the last many dates. It appears that D-2 is not interested in contesting the present matter and accordingly, he is proceeded ex-parte.

Despite earlier attempts, D-1 could not be served and in the interim, on 31.05.2024 certain clarifications were sought. Counsel for plaintiff submits that in view of said order, it was realised that there are typographical errors in the plaint and therefore, an application U/O VI Rule 17 CPC has been preferred by the plaintiff to remove the said errors. He submits that the details of amendments sought in the plaint are listed in para (6) of his application.

D-2 has already been proceeded ex-parte today and D-1 is yet to be served. No separate notice is required to be issued to the defendants in view of the above.

It appears that the amendment sought in the plaint are in the nature of certain corrections and thus, no prejudice shall be caused to the defendants in case the said amendments are allowed.

Accordingly, the amendments prayed are allowed and the amended plaint filed with the application is taken on record. Application stands disposed of.

Let fresh summons be issued to D-1 on filing of PF/RC/Speed-post, returnable for 24.01.2025. In case of refusal, affixation be also carried out.

Aashish Gupta
DJ-01/NE/KKD/DELHI/29.10.2024.