

CS no.56703/16

Atma Ram Properties VS Embassy Restaurant & Anr.

26.07.2018

Present: Ld. Counsel for plaintiff.

Ld. Proxy Counsel for defendant.

It is submitted that the main counsel for defendant is not available today.

Arguments heard on the application filed by plaintiff u/Sec 152 CPC read with Section 151 CPC for typographical mistakes in the order dated 12.02.2018.

It is submitted that name of the plaintiff is wrongly mentioned as 'Atma Ram Properties' instead of 'Atma Ram Builders Pvt Ltd'. Heard. Perused of the record. Same appears to be a typographical error. The name of the plaintiff be read as 'Atma Ram Builders Pvt Ltd'.

It is submitted by Ld counsel that in the last line of the first page, the words are written as “and or written”. It is submitted by Ld counsel that it was dictated in the Court as “oral and written”. Heard. I have gone through the record. The same again appears to be a typographical error. Let the relevant line be read as “where there is no agreement between the parties, oral or written”.

It is submitted by Ld counsel that on the second page while disposing off issue regarding jurisdiction, it was observed by the Court that the present suit is maintainable and accordingly it was dictated that it cannot be said that the present suit is not maintainable but the word 'not' is missing. Heard. I have gone through the record.

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The same again appears to be typographical error. Let the relevant line be read as “it cannot be said that the present suit is not maintainable”. Application accordingly disposed off.

It is submitted that the main counsel for defendant is not available today for arguments on u/O 7 rule 11 CPC application.

At request, put up for arguments on u/O 7 rule 11 CPC application of the defendant on **03.12.2018**.

(Twinkle Wadhwa)
ADJ-03/PHC/NEW DELHI.
26.07.2018