

CS 139/23

GITA DATTA AND ANR Vs. SAMEER MAZUMDAR

20.05.2025

Present: Ms. Tanya Kathuria, Ld. Counsel for plaintiffs.  
Sh. S.K. Sharma, Sh. Sunil Kalra, Ms. Shikha Rani and  
Sh. Mridul Sharma, Ld. Counsel for defendant.

and

CS 258/23

GITA DATTA Vs. SAMEER MAZUMDAR

Present: Sh. S.K. Sharma, Sh. Sunil Kalra, Ms. Shikha Rani  
and Sh. Mridul Sharma, Ld. Counsel for counter  
claimant.  
Ms. Tanya Kathuria, Ld. Counsel for respondent.

1. Both suits have been consolidated for trial vide order dated 18.05.2024.
2. Sameer Majumdar had moved an application U/O VI Rule 17 CPC seeking to amend his counter claim by adding para 11(i), para 13(i), 15(i) alongwith two additional prayers.
3. After some arguments, Counsel for plaintiff submits that subject to she being given an opportunity to file amended written statement, she has no objection in case the present application of counter claimant/Sameer Majumdar is allowed.
4. Accordingly, the present application is allowed. The amended counter claim filed with the application is taken on record.  
**Ahlmad is directed to tag the same as per rules.**

5. At this stage, counter claimant Sameer Majumdar presses his interim application moved U/O XXXIX Rule 1 & 2 CPC with his counter claim. After some arguments, Counsel for counter claimant seeks to withdraw the said application with liberty to file afresh.
6. The application is dismissed as withdrawn with liberty as prayed.
7. List for filing of amended reply to the counter claim by respondents (in counter claim CS No. 258/23) and for framing of issues on 09.07.2025.

Aashish Gupta  
DJ-01/NE/KKD/DELHI  
20.05.2025