

CS (COMM) No. 2081/2022
Suprajit Engineering Ltd. Vs. Ashok Kumar & Ors.

03.09.2022

Present: Sh. Sanchay Mehrotra and Sh. Mayank Bhardwaj,
Counsels for the plaintiff.

An application under Order XI Rule 1(5) r/w Section 151 CPC filed on behalf of the plaintiff seeking permission to file additional documents alongwith additional list of documents.

In the application, it is stated that inadvertently plaintiff failed to file additional affidavit of investigator as well as photographs of premises of defendant no.1 and 2. It is submitted that grave prejudice would be caused to plaintiff if said documents are not permitted to be filed and it is accordingly prayed that additional affidavit of investigator as well as photographs of premises of defendants no.1 and 2 be permitted to be placed on record.

Heard. In view of the averments made in the application and submissions made by Ld. Counsel for the plaintiff, application U/o XI Rule 1(5) r/w Section 151 CPC filed on behalf of plaintiff is allowed and the documents filed alongwith the application are permitted to be placed on record.

Application is disposed off.

With regard to query pertaining to defendant no.3, additional affidavit of investigator is relied upon.

Arguments heard.

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Vide separate order of the even date, plaintiff's application U/o XXXIX Rule 1&2 r/w Section 151 CPC and another application under Section 135(2) of Trade Marks Act r/w Order XXVI Rule 9 & 10 and Order XXXIX Rule 7 r/w Section 151 CPC stand disposed of.

Copy of the order be given dasti to the counsel for the plaintiff as well as to the Local Commissioners.

Be listed for further proceedings on 30.11.2022.

(Illa Rawat)

District Judge (Commercial Court-03)
Central/ THC/ Delhi.

03.09.2022