

31.01.2025

Case received by way of transfer from the Court of Sh. Shirish Aggarwal, Ld. DJ-03, NDD, PHC pursuant to Office Order No. 31331-31343/Judl//NDD/PHC/ND dated 07.11.2024 of the Ld. Principal District & Sessions Judge, New Delhi District, Patiala House Courts, New Delhi. It be checked and registered.

Present: Sh. Manish Gupta , Counsel for the plaintiff through VC.

Sh. Sahil Sharma, Counsel for the defendants.

An application under Order 1 Rule 10 CPC is moved on behalf of the defendant no. 2 for striking off his name as he was an employee of defendant no. 1 company and has no privity of contract with the plaintiff. The Ld. Counsel for the plaintiff has no objection if the application is allowed. In view of the same, the application is allowed. The name of the defendant no. 2 is deleted from the memo of the parties. Let amended memo of parties be filed.

The Counsel for the plaintiff seeks an opportunity to file replication and affidavit of admission/denial of documents. Same is opposed by the Counsel for the defendant by citing the last order dated 22.10.2024 by which certain time line was fixed by the Court. The Counsel for the plaintiff has submitted that earlier the case was filed in the commercial court and it was withdrawn from the said Court to be filed before the normal civil

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court and due to some confusion replication and affidavit of admission/denial of documents could not be filed within time.

In the interest of justice, one opportunity is granted to the plaintiff to file replication and affidavit of admission/denial of documents with advance copy to the Counsel for the defendant.

Put up for framing of issues on **02.04.2025**. The parties may file the proposed issues.

(Balwant Rai Bansal)
District Judge-05, NDD,
PHC/ND/31.01.2025