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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(COMM) 568/2016**

M/S SUNAIR HOTELS LTD.

..... Plaintiff

Through: None.

versus

M/S METROPOLITAN HOTEL E+

..... Defendant

Through: None.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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20.02.2017

Ex-parte final arguments were heard on 8th February, 2017 when the matter was reserved. Upon perusal, it is noted that in the plaint, the defendant is described as M/s Metropolitan Hotels. Written statement was filed on behalf of M/s V. Vills Hotels Pvt. Ltd. claiming to be the entity in the business of running the said hotel. In the said written statement, a preliminary objection was taken in para 7 to the effect that the defendant as impleaded is “not a legal entity” and, thus, not capable of suing or being sued. Replication was filed in answer to the said written statement but with no clear response given to the said preliminary objection, nor any amendment made to the plaint or array of parties. This needs clarification.

Inspite of the matter being called out and passed over several times, no one has appeared for the plaintiff till 2.50 p.m.

Be notified under the category of ‘directions’ on 19th April, 2017.

Court notice shall issue to the plaintiff and its counsel for the date fixed.

R.K.GAUBA, J

FEBRUARY 20, 2017/nk