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

+ **CS(OS) 15/2021**

RAJ KUMAR SETHIPlaintiff

Through: Ms. Rati Coshic, Adv.

versus

ASHOK KUMAR SETHI & ORS.Defendants

Through: Mr. Rajesh Mahindru, Adv. for D-1 & D-2

Ms. Beenashaw Soni, Ms. Mausai Jain
and Ms. Ann Joseph, Advs. for D-5
and D-6

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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15.07.2024

I.A. 306/2021 (filed by plaintiff under Order 39 Rule 1 and 2 r/w Section 151 CPC for grant of ad-interim injunctions and stay)

I.A. 2531/2021 (under Section 151 CPC for modification of the order dated 08.01.2021)

I.A. 9710/2021 (filed by plaintiff under Order VI Rule 17 of the CPC r/w Section 151 CPC for amendment of plaint)

I.A. 8513/2022 (filed by plaintiff under Order XXXIX Rule 1 and 2 CPC r/w Section 151 CPC)

1. The learned counsel appearing on behalf of the plaintiff prays for an adjournment on the ground that the arguing counsel is not available.



2. The learned counsel for defendant no. 1 & 2 / non-applicant submits that the adjournments are repeatedly being sought by the plaintiff.
3. He submits that an application seeking amendment is ought to be dismissed inasmuch as, the relief sought to be inserted is time barred. He further submits that there is also a flaw in the application as no corresponding amendment in the paragraphs providing for valuation of relief and court fee payable, has not been sought despite praying for insertion of additional relief.
4. The plaintiff is granted final opportunity to argue the pending applications on the next date, failing which the applications will be heard regardless.
5. Re-notify on 13.09.2024.

VIKAS MAHAJAN, J

JULY 15, 2024
N.S. ASWAL