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

+ **CS(COMM) 363/2018**

**MAHLE FILTER SYSTEMS INDIA
PRIVATE LIMITED**

..... Plaintiff

Through: Mr. Peeyoosh Kalra, Ms. Mohini V.,
Mr. Udayvir Rana, Ms. Pragati
Agrawal and Ms. Nikita Anand,
Advocates

versus

MOBIS INDIA LIMITED & ANR

..... Defendants

Through: Mr. Manish Biala and Mr. Devesh
Ratan, Advocates

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **21.02.2023**

I.A.20847/2015 & I.A.949/2017 (u/O-VI R-17 of the CPC)

1. These applications have been filed on behalf of the plaintiff under Order VI Rule 17 of the Code of Civil Procedure, 1908 seeking to amend the plaint.
2. Counsel for the defendants does not oppose these applications.
3. For the reasons stated, the applications are allowed and the plaintiff is permitted to amend the plaint strictly in conformity with the present applications.

I.A. 23316/2015 (O-VII R-11 of the CPC)

4. In view of the amendment applications being allowed, counsel for the defendant seeks to withdraw the present application with liberty to file a fresh application in the event the need so arises.



5. The application is disposed of.

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6. In view of I.A.20847/2015 and I.A.949/2017 being allowed, amended plaint be filed within three weeks from today.

7. Written statement(s) shall be filed by the defendants within thirty days from the date of the receipt of copy of the amended plaint. Along with the written statement(s), the defendants shall also file affidavit of admission/denial of the documents of the plaintiff, without which the written statement(s) shall not be taken on record.

8. Liberty is given to the plaintiff to file replication(s), if any, within thirty days from the receipt of the written statement(s). Along with the replication(s) filed by the plaintiff, affidavit of admission/denial of the documents of the defendants be filed by the plaintiff.

9. The parties shall file all original documents in support of their respective claims along with their respective pleadings. In case parties are placing reliance on a document, which is not in their power and possession, its detail and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

10. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

11. List before the Court on 20th April 2023.

I.A.12284/2015 (O-XXXIX R-1 & 2 of the CPC) & I.A.18716/2015 (O-XXXIX R-1 & 2 of the CPC)

12. List before the Court on 20th April 2023.

AMIT BANSAL, J

FEBRUARY 21, 2023/dk