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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 413/2023**
JAI PRAKASH GUPTA

..... Petitioner
Through: Mr. Kamal, Adv. (Through VC)

versus

GOVIND CABLE INDUSTRIES & ORS.

..... Respondent
Through:

CORAM:
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

% **ORDER**
15.03.2023

The proceeding has been conducted through Hybrid mode]
C.M. APPL. No. – 12333/2023 Exemption)

1. Exemption is allowed, subject to all just exceptions.
2. Application stands disposed of.

CM(M) 413/2023 & C.M. APPL No. – 12332/2023 (Stay)

3. Petitioner challenges the order dated 09.02.2023 in CS (COMM) 328/2019, titled as “*Jai Prakash Gupta v. M/s Govind Cable Ind. & ors.*” whereby the learned Trial Court dismissed the application under Order VI Rule 17 of CPC, 1908 on the basis that the amended reliefs sought, are barred under Order II Rule 2 of CPC, 1908.
4. Issue notice. Upon petitioner/appellant taking steps within a



week, notice may be served through all permissible modes. Additionally, through learned counsel appearing for the respondent before the learned Trial Court.

5. Reply, if any, be filed within four weeks. Rejoinder thereto, if any, be filed within four weeks thereafter.

6. List for consideration on 22.08.2023.

TUSHAR RAO GEDELA, J

MARCH 15, 2023/AT