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

+ **CM(M) 1979/2024**

PSA NITROGEN LIMITED

..... Petitioner

Through: Mr. Devesh kumar Malan, Adv.

versus

MAEDA CORPORATION & ORS.

..... Respondents

Through: Mr. Mayank Sapra, Mr. Aditya Sharma and Mr. Adrish Dutta, Advs for R-1 to 4.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

27.02.2024

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CM APPL. 11941/2024—Exp.

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The present petition has been filed under Article 227 of the Constitution of India impugning the order dated 18.01.2024 passed in CS DJ No. 9406/2016 by the learned District Judge, South District, Saket Courts Delhi (hereinafter referred to as 'Trial Court'), whereby the application filed by the petitioner herein under Order VI Rule 17 of the Code of Civil Procedure, 1908 (CPC) has been dismissed. The petitioner herein is the plaintiff before the learned Trial Court.



4. Issue notice.
5. Learned counsel for the respondent nos. 1 to 4 appears on advance notice and accepts notice.
6. Parties are at liberty to file written submissions. Short written submissions be filed with an advance copy to the other side within two weeks.
7. Learned counsel for the petitioner submits that he has to file copy of the plaint as well as the notice issued to the respondents before filing the plaint. Same be filed within two weeks.
8. Upon taking necessary steps, issue notice to respondent no.5 through all permissible modes including via approved courier service.
9. It is submitted that similar matter between the same parties is listed before this Court on 04.04.2024. Accordingly, list the present matter also on 04.04.2024.

SHALINDER KAUR, J

FEBRUARY 27, 2024
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