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

+ **CM(M) 1994/2024**

INDCON BOILER LTD

..... Petitioner

Through: Mr. Devesh Malan, Adv.

versus

MAEDA CORPORATION & ORS.

..... Respondents

Through: Mr. Mayank Sapra, Mr. Aditya
Sharma and Mr. Adrish Dutta, Advs.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

% **29.02.2024**

CM APPL. 12454/2024—Exp.

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

CM(M) 1994/2024

3. The present petition has been filed under Article 227 of the Constitution of India impugning the order dated 02.02.2024 passed in CSDJ No. 6009/2016 by the ADJ, South District, Saket Courts, New Delhi (hereinafter referred as 'Trial Court'), whereby the application moved on behalf of the petitioner herein under Order VI Rule 17 of the Code Of Civil Procedure, 1908 (hereinafter referred to as 'CPC') has been dismissed. The petitioner is the plaintiff before the Trial Court.
4. Issue notice.



5. Learned counsel for the respondents puts an appearance on advance notice and accepts notice; and submits that written submission instead of reply shall be filed.
6. Written submissions, if any, along with judgments upon which the parties wish to rely upon be filed within three weeks with an advance copy to the other side.
7. It is submitted on behalf of the respondents that the petitioner has not filed on record copy of the original plaint as well as the copy of the legal notice. The petitioner is directed to file the same within three weeks with an advance copy to the other side.
8. It is submitted that a similar matter bearing no. CM(M) 1979/2024 is pending for hearing before this Court on 04.04.2024.
9. Accordingly, list the present matter also on 04.04.2024.

SHALINDER KAUR, J

FEBRUARY 29, 2024/aks