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

+ **CS(COMM) 281/2020**

KHURMI ASSOCIATES P LTD

..... Plaintiff

Through: Ms. Roshni Namboodiry, Advocate.

versus

**MAHARISHI DAYANAND CO-OPERATIVE
GROUP HOUSING SOCIETY**

..... Defendant

Through: Mr. Ashish Mohan, Mr. Gargi Sethee
and Ms. Sagrina Tanwar, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **13.05.2022**

I.A. 7434/2022 (of the defendant u/s 151 CPC) & I.A. 7461/2022 (of the defendant u/O-VI R-17 of CPC)

1. I.A. No. 7461/2022 under Order VI Rule 17 of the Code of Civil Procedure (CPC), 1908 has been filed on behalf of the defendant/counter claimant seeking to amend the counter claim. The amendment sought to be propounded is on account of subsequent facts that came to the knowledge of defendant/counter claimant as stated in paragraph 8 of the said application.
2. I.A. No. 7434/2022 under Section 151 of the CPC is an application filed by the defedant seeking relief to place on record additional documents in support of the amendment sought to be carried out in terms of I.A. No. 7461/2022.
3. The counsel for the non-applicant/plaintiff, without prejudice to her rights and contentions, does not oppose the said applications.



4. The suit is at an early stage and issues are yet to be framed. Therefore, the applications are allowed subject to payment of costs of Rs.10,000/- by the defendant/counter claimant to the plaintiff.

CC. (COMM) 10/2020

5. In view of the application for amendment in the counter claim being allowed today, the defendant/counter claimant shall file the amended counter claim within two weeks from today.

6. The plaintiff shall file reply to the amended counter claim within four weeks thereafter.

7. Replication, if any, be filed before the next date of hearing.

8. List on the date already fixed i.e. 25th August, 2022.

AMIT BANSAL, J

MAY 13, 2022

Sakshi R.