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

+ **CS(COMM) 344/2025**

JAYPEE BROTHERS MEDICAL PUBLISHERS PVT LTD

.....Plaintiff

Through: Ms. Jyoti Taneja, Ms. Prashansha
Sharma, Advs.

versus

ATITHI MEDICAL BOOKS PRIVATE LIMITED AND ORS

.....Defendant

Through: None.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **11.07.2025**

**I.A. 16185/2025(FOR AMENDMENT OF ORDER DT. 22.04.2025- TO
TREAT THE SUIT UNDER O 37 AS SUMMARY SUIT)**

1. Heard learned counsel for the plaintiff.
2. The plaintiff seeks modification of the order dated 22.04.2025 on the ground that the present suit has been instituted under Order XXXVII of the Code of Civil Procedure, 1908 ('CPC'), for recovery of a sum of Rs.2,79,68,535/- along with interest at the rate of 12% per annum from the date the amount became due till the date of realisation.
3. Learned counsel for the plaintiff submits that, inadvertently, while issuing summons, the Court directed the defendants to file their written statements within thirty days from the date of receipt of summons, along with other directions. She submits that the said order be modified to the extent that summons be issued in accordance with the procedure prescribed



under Order XXXVII of the CPC.

4. Having considered the submissions made by learned counsel for the plaintiff, the Court deems it appropriate to modify the order dated 22.04.2025 to the extent that the summons be issued in the suit treating it as under Order XXXVII of the CPC.

5. In view of the aforesaid, the application shall stand disposed of.

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6. Let fresh summons be issued as per procedure prescribed under XXXVII of the CPC on plaintiff taking necessary steps, let notice be issued to the defendants by all permissible modes, returnable on the next date of hearing.

7. The summons shall indicate that upon receipt of the same, the defendants shall file an application seeking leave to defend within the statutory period. Ordered accordingly.

8. List this matter on 27.08.2025 before the concerned Joint Registrar.

PURUSHAINDRA KUMAR KAURAV, J

JULY 11, 2025

Neha/sph