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IN THE HIGH COURT OF DELHI AT NEW DELHI
CS(OS) 397/2021
MAXIMUM OUTFITS PRIVATE LIMITED

.....Plaintiff

Through: Mr. Raghavendra Mohan Bjaj &
Mr. Kanan Agarwal, Advs.

versus

PREETA SAGAR AND OTHERSDefendants

Through: Mr. H. S. Arora, Adv. for D-5 &
LRs of D-4&10
(Mob.9810070256)

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

% **10.07.2024**

**IA 13475/2022 (Application u/O XXII Rule 4 r/w Sec.
151 CPC filed by plaintiff for impleadment of LR's of
D-4,8&10)**

1. Reply of LR's of defendant no.4 and 10 is already on record.
2. The plaintiff has not complied the order dated 05.02.2024 as neither the plaintiff has taken steps to bring on record the rejoinder and condonation of delay application for filing the said rejoinder nor the plaintiff has paid the cost of Rs.4000/- to LR's of D-4&10 till date. At this stage, learned counsel for the LR's of D-4&10 submits that he has no objection if the captioned IA is allowed subject to imposition of suitable cost.
3. No reply has been filed by LR(s) of D-8 to captioned IA and even none is present on behalf of LR(s) of D-8 today to explain in this regard. So, the right of LR(s) of D-8 to file reply is ordered to be closed.
4. Heard. In view of reasons mentioned in the application and subject to imposition of further cost of Rs.4000/- to be paid to LR's of deceased defendant



no.4&10, the captioned IA stands allowed as prayed for and the LRs of deceased defendant no.4,8&10 are allowed to be substituted in place of deceased defendant no.4,8&10.

5. The amended Memo of Parties filed by the plaintiff is not proper. So, the plaintiff is directed to file fresh/proper Amended Memo of Parties within two weeks with copy to the opposite side.

6. The plaintiff is directed to pay total cost of Rs.8000/- to LRs of defendant no. 4 and 10 within ten days.

7. Accordingly, the captioned IA stands disposed of.

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8. At this stage, it is informed by learned counsel for LRs of D-4&10 that defendnat no.6 has expired. It is stated by learned counsel the plaintiff that he is not aware about the death of defendant no.6 and do not even have the details of LRs of deceased defendant no.6. Learned counsel for D-5 & LRs of D-4&10 undertakes to supply the same within one week through email. Let needful be done as stated. Thereafter, the plaintiff is directed to take appropriate steps as per law qua impleadment of LRS of deceased defendant no.6.

Re-notify the matter for further proceedings on 26.09.2024.

**PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)**

JULY 10, 2024/ab

Click here to check corrigendum, if any