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

+ **CS(OS) 397/2021 and IA No. 10727/2021 (u/O 39 Rules 1 and 2 CPC)**

**MAXIMUM OUTFITS PRIVATE LIMITED**

..... Plaintiff

Through: Mr. Animesh Rastogi and  
Mr. Abhinav Bala,  
Advocates appeared  
physically

versus

**PREETA SAGAR AND OTHERS** ..... Defendants

Through: Mr. H.S. Arora, Advocate  
for Defendant no.5 and  
LRs of deceased defendant  
nos. 4 and 10 appeared  
physically

**CORAM:**

**JOINT REGISTRAR (JUDICIAL) MS. TYAGITA  
SINGH, (DHJS)**

**ORDER**

% **28.02.2023**

*Matter is taken up through physical hearing as well as  
video conferencing.*

**CS(OS) 397/2021**

On the last date of hearing, learned counsel for defendant nos. 1,2,3,16,17,18 and 19 had stated that he will file short-affidavit that the said defendants do not want to contest the suit. However, till date no such affidavit filed on record.

Last opportunity is granted to the said defendants for filing short affidavit within two weeks.

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**IA No. 13475/2022 (application filed by the plaintiff u/O 22 Rule 4 r/w Section 151 CPC for substitution of legal heirs of deceased defendant nos. 4,8 and 10)**

Learned counsel for defendant no.5 and LRs of deceased defendant nos. 4 and 10 have stated that he has already filed reply to this application on 05.01.2023. However, the reply is lying under objections. Copy already supplied. Objections be removed within one week so that it comes on record.

Rejoinder, if any, may be filed by the plaintiff within two weeks with advance copy to the opposite parties.

At request of learned counsel for the plaintiff, fresh notice be issued to LRs of deceased defendant no.8 on filing of PF within seven days, by all permissible modes including electronic mode and *dasti*. Affidavit of service be filed atleast one week before the next date of hearing.

Put up for arguments on the application on 22<sup>nd</sup> May, 2023.

**TYAGITA SINGH, (DHJS)  
JOINT REGISTRAR (JUDICIAL)**

**FEBRUARY 28, 2023**  
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