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

+ **CS(COMM) 561/2023**

MRS KANIKA GAUTAM

..... Plaintiff

Through: Mr. Deepak Kr. Sharma, Mr.
Sajeet Shukla & Ms. Anusha,
Adv. for D-3

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versus

M/S FLASH CLOUD CONSULTING & ORS.

..... Defendant

Through: Advocate for D-1 (appeared
through VC) (appearance not
given)
Mr. Pankaj Bhagat & Mr.
Sadre Alam, Advs. for D-2
Mr. Chandrashekhar A
Chakalabbi & Ms. Aishwarya N
Hiremath, Advs. for D-3
(appeared through VC)
Mr. Manu Pratap Singh, Advs.
for D-4 (Mobile No.9005669985
& e-mail ID
harsh@katyalassociates.com)
Mr. Usma Khan, Associate
Manager from IndusInd Bank
(Mobile No.9899518386 & e-
mail ID
mohdusama.khan@indusind.com)

CORAM:
JOINT REGISTRAR (JUDICIAL) SH. MANISH
SHARMA, (DHJS)

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ORDER
22.01.2024

I.A.No.24479/2023 (under Order VII Rule 11 CPC filed



on behalf of defendant no.2 for rejection of plaint)

1. It is submitted that the captioned IA is coming up before the Hon'ble court on 31/01/2024.
2. No reply to the captioned IA has been filed.
3. Let the pleadings be completed as per law.

I.A.No.19423/2023 (under Order 26 Rule 9 & 10 (b) & 10 (c) r/w Section 151 CPC filed on behalf of the defendant no.2)

4. It is submitted that the captioned IA is coming up before the Hon'ble court on 31/01/2024.
5. Reply to the captioned IA has been filed on behalf of the plaintiff.
6. Let the pleadings be completed as per law.

I.A.No.15451/2023 (under Section 12A of the Commercial Courts Act seeking exemption from pre-litigation process);

I.A.No.15453/2023 (under Order 11 Rule 14 r/w Section 151 CPC for production of documents by defendant no.2) &

I.A.No.15454/2023 (under Order 11 Rule 14 r/w Section 151 CPC for production of documents by defendant no.3 & 4)

7. It is submitted that the captioned IAs are coming up before the Hon'ble court on 21/03/2024.
8. No reply to the captioned IAs has been filed.
9. Learned counsel for defendant no.2 submits that he has filed reply to IA No.15452/2023 vide diary no.123455/23. However, the same has not come on record. Learned counsel for defendant no.2 is requested to check it up with the Registry and have the same placed on record.
10. Let the pleadings be completed as per law.



I.A.No.22252/2023 (under Order I Rule 10 CPC filed on behalf of plaintiff to implead Indus Bank as necessary defendant in the present suit)

- 11.As per office note, defendant no.3 has been served through counsel by Whatsapp.
- 12.Mr. Usma Khan, Associate Manager of Indus Bank/proposed defendant has appeared. He seeks time to file reply to the captioned IA.
- 13.Let reply be filed within four weeks with advance copy to the opposite side.
- 14.Rejoinder, if any, be filed within two weeks thereafter.

I.A.No.729/2024 (under Order I Rule 10 r/w Section 151 CPC filed on behalf of defendant no.2)

- 15.As per office note, plaintiff has been served through counsel.
- 16.Learned counsel for plaintiff accepts notice of the captioned IA and seek time to file reply.
- 17.Let reply be filed within four weeks with advance copy to the opposite side.
- 18.Rejoinder, if any, be filed within two weeks with advance copy to the opposite side.
- 19.Issue notice of the captioned IA to Mr. Rajiv Saxena/proposed defendant, through all permissible modes, returnable on the next date of hearing. Dasti summons be also given, as prayed for.

I.A.No.1508/2024 (under Order VI Rule 17 r/w Section 151 CPC filed on behalf of the plaintiff seeking amendment in the list of dates and events filed along with plaint)

- 20.Learned counsel for plaintiff submits that the captioned IA may be taken up for consideration on the next date of hearing.



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- 21.No written statement has been filed on behalf of the defendants till date.
- 22.Learned counsel for defendant no.1 submits that he has not received copy of the complete paper book.
- 23.Let the pleadings be completed as per law.
- 24.Re-notify the matter for completion of pleadings and admission/denial of documents on **11th March, 2024.**

MANISH SHARMA, (DHJS)
JOINT REGISTRAR (JUDICIAL)
JANUARY 22, 2024/nk
[Click here to check corrigendum, if any](#)