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

+ CS(COMM) 538/2021, I.A. 14025/2021, I.A. 15400/2021, I.A. 18/2022,
I.A. 2663/2022, I.A. 6068/2022, I.A. 10428/2022, I.A. 19432/2022 &
I.A. 40604/2024

CONTINENTAL ENGINES PRIVATE LIMITEDPlaintiff

Through: Mr. Neeraj Yadav, Mr. Hansdeep Singh
and Ms. Aditi Sharma, Advocates
alongwith AR.

Versus

DR DARYAO SINGH KHATRI & ORS.Defendants

Through: Mr. Rajiv Kumar Upadhyay and Ms.
Mehak Upadhyay, Advocates for D-1
and 2.

Ms. Archana Sahadeva and Mr. Harshit
Bhoi, Advocates for D-3.

Mr. Sagar Chandra and Mr. Nikhil
Sonker, Advocates for D-4.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

20.01.2026

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I.A. 853/2022 (Deleting D-4 from Array of Parties)

1. This is an application under Order I Rule 10(2) read with Section 151 of the Code of Civil Procedure, 1908, filed on behalf of the defendant no.4 seeking its deletion from the array of parties.

2. The arguments on this application were heard on 15.01.2026 and the following orders were passed:

“1. At request of learned counsel for the plaintiff as also defendant no.4, in respect of arguments addressed by learned counsel for defendant no.4 for IA No.853/2022 under Order I Rule 10(2) read with Section 151 CPC, 1908, seeking its deletion from the array of parties, list on 20.01.2026.

2. The matter be shown in the “Supplementary List”.”



3. In terms of the order dated 15.01.2026, learned counsel appearing for the defendant no.4 has handed over the Bench a statement on behalf of the defendant no.4 and the same is taken on record. The said statement reads as under:

“STATEMENT ON BEHALF OF DEFENDANT NO.4

1. *Defendant No.4 states that it is only a manufacturer of three-wheeler vehicles and does not manufacture the engines that are mounted in the said vehicles. Defendant No.4 further states that it buys engines from various third-party manufacturers of engines including Defendant no.3 and is not involved in the development or manufacturing of such engines.*
2. *Defendant No.4 states and confirms that it has no business relationship, contractual privity or commercial dealings whatsoever with Defendant Nos.1 and 2 and is not aware of any alleged technical know-how/ trade secrets/ confidential information/ drawings/ computer program that are subject matter of the present suit.*
3. *Defendant No.4 also agrees to abide by all the orders passed by this Hon’ble Court.”*

4. A copy of the said statement has also been handed over to the learned counsel for the plaintiff. Under instructions, Mr. Rajiv Kumar Upadhyay, learned counsel for the plaintiff submits that the plaintiff is satisfied by the statement made by the defendant no.4 and thus, the defendant no.4 may be deleted from the array of parties.

5. Accordingly, this Court directs that defendant no.4 be deleted from the array of parties. Plaintiff is permitted to place on record the amended memo of parties within one week.

6. The application stands disposed of.

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7. List on 16.04.2026 for consideration of the remaining applications.

TUSHAR RAO GEDELA, J

JANUARY 20, 2026

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