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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 458/2019**
VOLTAS LIMITED

..... Plaintiff

Through Mr. Jayant Mehta, Mr. Amit K.
Mishra, Mr. Mohit Singh, Ms. Kanika
Singhal, Mr. Tushar Bhatnagar, Mr.
Sidharth Sharma, Advs.

versus

**SHAPOORJI PALLONJI AND COMPANY PRIVATE LIMITED &
ORS.**

..... Defendant

Through

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
26.08.2019

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I.A. 11600/2019

Exemption allowed subject to just exceptions.

I.A. 11601/2019

1. Learned counsel for the plaintiff seeks leave to file the original documents within four weeks.
2. Needful be done within the time sought for.
3. Application is disposed of.

I.A. 11599/2019 (u/S. 80(2) CPC)

1. Learned counsel for the plaintiff says that since injunction is sought against defendant No.3 for preservation of records, defendant No.3 is a necessary party however the essential relief is not against defendant No.3

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but recovery from defendant No.1. Plaintiff is thus exempted from issuing the notice under Section 80(1) CPC to defendant No.3.

2. Application is disposed of.

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1. Plaint be registered as a suit.

2. Issue summons in the suit to the defendants on the plaintiff taking steps through registered AD, speed post, ordinary and dasti process returnable on 19th November, 2019 before the Joint Registrar.

3. Summons to the defendants shall indicate that a written statement to the plaint shall be positively filed within four weeks of the receipt of the summons. Liberty is given to the plaintiff to file a replication within three weeks of the receipt of the advance copy of the written statement.

4. Parties shall file all original documents in support of their respective claims along with their respective pleadings. In case parties are placing reliance on a document which is not in their power and possession, its detail and source shall be mentioned in the list of reliance which shall be also filed with the pleadings.

5. Admission/ denial of documents shall be filed on affidavit by the parties within two weeks of the completion of the pleadings. The affidavit shall include the list of the documents of the other party. The deponents shall indicate their position with regard to the documents against the particulars of each document.

6. List the suit before Court on 4th December, 2019.

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I.A. 11598/2019 (u/O 39 R. 1&2 CPC)

1. Issue notice to the defendants on the plaintiff taking steps through ordinary and dasti process, registered AD and speed post returnable on 19th November, 2019 before the Joint Registrar for completion of pleadings.
2. List the application before Court on 4th December, 2019.

MUKTA GUPTA, J.

AUGUST 26, 2019
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