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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 468/2019

M/S FORTIS HOSPITALS LIMITED

..... Plaintiff

Through: Ms. Vatsala Rai and Mr. Parth
Chopra, Advs.

versus

M/S BEST HEALTHCARE PRIVATE LIMITED & ORS.

..... Defendants

Through: Ms. Trisha Raj Chauchari, Adv. for
D-4, 6 & 7
Mr. Anurag Misra, proxy counsel for
Mr. Sandeep Das, Advs. for D-9

CORAM:

**SH. DEVENDER KUMAR (DHJS), JOINT REGISTRAR
(JUDICIAL)**

ORDER

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06.12.2019

**I.A. No. 17215/2019 under Order 6 Rule 17 CPC thereby seeking
permission to file fresh memo of parties with changes addresses of
defendants no.1 to 3**

Heard.

Fresh addresses of the defendants are necessary for proper
adjudication of the case, accordingly amended memo of parties is
taken on record.

I.A. stands disposed of.

I.A. No. 17216/2019 Under Order 5 Rule 20 CPC for substituted service of defendants no.7 & 8

Defendant no.7 has already been served and learned counsel for defendant no.7 has appeared, whereas defendant no.8 is stated to be on interim bail and may be served at his last known address. In view of facts, I.A. is kept in abeyance.

I.A. No. 17217/2019 under Order 5 Rule 20 (1A) for substituted service of defendant no.5

Plaintiff has made only single attempt to get served defendant no.5, accordingly this application is also kept in abeyance with direction to plaintiff to make one more attempt to get served defendant no.5 and in failure of service, the application may be considered.

CS(COMM) 468/2019 and I.A. No. 11768/2019

Defendants no.4, 6 & 7 have duly served. Learned counsel for defendants has also appeared. Learned counsel has submitted on behalf of defendant no.7 that defendant has not received complete set of documents. Let a complete set of plaint and documents be supplied to learned counsel for defendant no.7 within three days against due acknowledgment. Thereafter, written statement and affidavit of admission/denial of documents on behalf of defendant no.7 be filed within four weeks with advance copy to opposite party.

The other defendants no.4 & 6 also have to file written statement, but they have not filed. Let the written statement and

affidavit of admission/denial of documents, if any be filed as per rules with advance copy to opposite party.

Defendant no.9 has also been served and on last date of hearing, time was sought to file written statement and affidavit of admission/denial of documents, but still neither written statement nor affidavit of admission/denial of documents filed. Again time sought to file written statement. Let the written statement and affidavit of admission/denial of documents be filed as per rules with advance copy to opposite party.

Defendants no.1 to 3, 5, 8 & 10 are still unserved. Let all the defendants be served again on filing of PF and through all permissible modes including e-mail, returnable by next date of hearing.

Put up on 07.02.2020.

DECEMBER 06, 2019/tp

**DEVENDER KUMAR (DHJS)
JOINT REGISTRAR (JUDICIAL)**

[Click here to check corrigendum](#)