



\$~37

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

+ CS(OS) 575/2023

SARLA HOLDINGS PVT LTD

..... Plaintiff

Through:

versus

DT MEDIA AND ENTERTAINMENT PVT LTD EDUCATION
WORLD AND ORS

..... Defendants

Through: Ms. Swathi Sukumar with Mr.
Naveen Nagarjuna and Mr. Rishabh
Agarwal, Advocates for D1.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

%

12.01.2024

I.A. 836/2024

By way of the present application filed under Order VII Rule 11 read with section 151 of the Code of Civil Procedure 1908 ('CPC'), defendant No.1 seeks rejection of plaint on the ground contained in Order VII Rule 11 (d) of the CPC.

2. At the outset, Ms. Swathi Sukumar, learned counsel appearing for the applicant submits that there is an inadvertent error in the prayer which needs to be corrected to read that it seeks rejection of plaint under Order VII Rule 11(a) *instead of* Order VII Rule 11(d) of the CPC, since the basis of the application is that the plaint does not disclose a cause of action.
3. On oral request, the prayer in the application is amended, to read that the defendant seeks rejection of the plaint on the ground provided under Order VII Rule 11(a) of the CPC.



4. The principal contention of the applicant is that the plaint does not disclose the commission of any tort, on which a cause of action could be founded; and deserves to be rejected on that ground.
5. Issue notice.
6. Upon the applicant taking requisite steps, let notice be sent to the non-applicants by all permissible modes, returnable for the next date.
7. Let the notice indicate that replies to the application be filed within 04 weeks of service; rejoinders thereto, if any, be filed within 03 weeks thereafter; with copies to the opposing counsel.
8. Re-notify for completion of pleadings before the learned Joint Registrar on 02nd April 2024, the date already fixed.
9. List before court thereafter.
10. The date of 23.01.2024 given earlier before court, stands cancelled.

ANUP JAIRAM BHAMBHANI, J

JANUARY 12, 2024

ds