



2026:DHC:154

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

+ **CS(COMM) 361/2018, I.A. 4575/2005 & I.A. 34537/2024**

NADEEM MAJID OOMERBHOYPlaintiff

Through: Mr. Tahir Ashraf Siddiqui, Adv.
M: 9582393423

versus

SH. GAUTAM TANK AND ORS.Defendants

Through: Mr. Arnav Goyal, Adv. for D-1 and 2
(Through VC)

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
26.11.2024

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I.A. 34537/2024

1. Written submissions to the present application have been filed on behalf of the plaintiff. However, page 1 of the said written submissions is not scanned, and is shown as blank in the Court file.
2. Accordingly, learned counsel appearing for the plaintiff is directed to get the written submissions scanned properly, and have them placed on record.
3. No written submissions have been filed by the defendants, as yet.
4. Learned counsel appearing for the petitioner submits that the present application is not maintainable, as the rectification proceedings filed by the defendant, which are pending before the Bombay High Court, have been filed without taking leave of this Court.



2026:DHC:154

5. He further submits that issue is already settled by this Court in view of the judgment dated 11th September, 2023, and order dated 22nd August, 2023, passed in the present proceedings.
6. Per contra, learned counsel appearing for the defendants submits that the present application is maintainable.
7. The written submissions on behalf of the defendants have still not been filed, despite previous orders.
8. Let the needful be done by the defendants, before the next date of hearing.
9. On the next date of hearing, the Court shall also examine as to whether the Court will continue with the hearing of the main matter.
10. Re-notify on 28th February, 2025.

MINI PUSHKARNA, J

NOVEMBER 26, 2024/kr