



\$~37

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

+ **CS(COMM) 582/2024 & I.A. 34705/2024**

VE COMMERCIAL VEHICLES LIMITEDPlaintiff

Through: Ms. Vrinda Pathak, Ms. Sandhya
Kukreti and Ms. Vanshika Puri,
Advocates.

versus

JASWANT INDUSTRIES & ORS.Defendants

Through: None.

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

% **26.07.2024**

I.A. 34705/2024 (seeking modification of order dated 19th July, 2024)

1. The present application has been filed on behalf of the plaintiff under Section 151 of Code of Civil Procedure, 1908, ("CPC") seeking modification of the order dated 19th July, 2024.

2. Learned counsel appearing for the plaintiff submits that the plaintiff is seeking modification of the aforesaid order to the effect that the address of defendant no. 3, for visit of Local Commissioner, be substituted to:

*"Mahadev Travels,
Ambedkar Circle,
Sojat Gate Bilara,
Jodhpur, Rajasthan – 343602"*

3. Further, there is a prayer that that date of visit of Local Commissioner be modified to a date, later than 26th July, 2024.



4. Learned counsel appearing for the plaintiff submits that since the name of the defendant Mahadev Travels, is a very common name, therefore, a wrong address had been given initially by the plaintiff inadvertently.

5. Upon subsequent knowledge, the correct address is now being provided by way of the present application.

6. Considering the submissions made before this Court, the order dated 19th July, 2024 is modified to the effect that address of defendant no. 3 for visit of Local Commissioner, is substituted as:

*“Mahadev Travels,
Ambedkar Circle,
Sojat Gate Bilara,
Jodhpur, Rajasthan – 343602”*

7. In view of the aforesaid, it is directed that the Local Commissioner shall now execute the commission within a period of one week from today.

8. Accordingly, the time period for compliance of Order XXXIX Rule 3 is extended for a period of further ten days.

9. Learned counsel appearing for the plaintiff also points that the appearance of the plaintiff was given wrongly.

10. Learned counsel appearing for the plaintiff further points out that though partially, the appearance on behalf of plaintiff has been correctly recorded, however, all the names of the counsels who have appeared in the matter have not been given in appearance.

11. Accordingly, considering the submissions made before this Court, it is directed that in the order dated 19th July, 2024, the appearance on behalf of the plaintiff, shall be read as follows:



“Mr. J. Sai Deepak, Ms. Bitika Sharma, Ms. Vrinda Pathak,
Ms. Ahaana Singh Rana, Ms. Rinkoo Kakkar, Ms. Sandhya
Kukreti, Mr. Luv Virmani”

12. With the aforesaid directions, the present application is disposed of.

CS(COMM) 582/2024

13. In view of the order passed today in *I.A. 34705/2024*, it is directed that the order dated 19th July, 2024 and the order passed today i.e. 26th July, 2024, shall not be uploaded for a period of 10 days from today.

14. List before the Joint Registrar on the date already fixed, i.e., 25th September, 2024.

MINI PUSHKARNA, J

JULY 26, 2024

ak