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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 755/2023**
PURE DIETS INDIA LTD.

.....Plaintiff

Through: Mr. Danish Aftab Chowdhury, Mr.
Suhail Malik, Advs. (Through VC)

versus

LOKMANGAL AGRO INDUSTRIES LTD. & ORS.

.....Defendants

Through: Mr. Gopal Singh, Mr. Shivalok
Yasovardhan, Advs. (Through VC)

CORAM:

DR. JAGMINDER SINGH (DHJS) JOINT REGISTRAR (JUDICIAL)

ORDER

% **29.08.2024**

CS(COMM) 755/2023

1. It is submitted by learned counsel for plaintiff that he wants to pursue this suit as ordinary civil suit for recovery instead of summary suit under Order XXXVII CPC.

2. Hence, at request, present suit is treated as ordinary civil suit for recovery. It is further agreed by both parties that defendants will be entitled to file the written statement from the time starting today in accordance with law.

3. Hence, put up for completion of pleadings accordingly in accordance with law.

I.A. No. 20837/2023(u/O XXXIX R 1 & 2 by plaintiff) & I.A. No. 20838/2023(u/O XXXIX R 10 by plaintiff)

4. As per learned counsel for defendants, they have already filed the replies but same are not on record and system is showing the same as



pending. Learned opposite counsel has already received the copy.

5. At request, rejoinder, if any, may be filed within two weeks, with advance copy to the opposite party.

I.A. No. 20839/2023(by plaintiff u/O XI R 12, 13 & 14)

6. As per learned counsel for defendants, they have already filed the replies but same are not on record and system is showing the same as pending. Learned opposite counsel has already received the copy.

7. At request, rejoinder, if any, may be filed within two weeks, with advance copy to the opposite party.

I.A. No. 99/2024, I.A. No. 103/2024, I.A. No. 101/2024 & I.A. No. 102/2024

8. Applications u/O XXXVII R3(1) for entering an appearance on behalf of defendant no. 2, 1 & 3 respectively.

9. As the defendants have already entered the appearance, therefore the captioned IAs are accordingly **disposed of**.

I.A. No. 100/2024 & I.A. No. 588/2024

10. Applications u/O XXXVII R3(5) CPC for leave to defend on behalf of defendant no. 2 & 1 respectively.

11. As submitted by learned counsel for defendants, both the captioned IAs are allowed to be withdrawn being premature and further in view of the submissions made by learned counsel for plaintiff that he wants to pursue this suit as ordinary civil suit for recovery instead of summary suit under Order XXXVII CPC.

12. Hence, both the IAs disposed of as withdrawn.

I.A. No. 10048/2024, I.A. No. 10049/2024 & I.A. No. 10050/2024

13. Applications for dismissal of suit by defendant no. 1, 3 & 2



respectively.

14. Reply has already been filed. Rejoinder is not to be filed.
15. Therefore, pleadings are complete.
16. At request, put up before the Hon'ble Court on 27.09.2024 for further directions.

DR. JAGMINDER SINGH (DHJS)
JOINT REGISTRAR (JUDICIAL)

AUGUST 29, 2024/sms

Click here to check corrigendum, if any