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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 852/2022, I.A. 20718/2022 & I.A. 21299/2022**
M/S TEJ RAM DHARAM PAUL & ANR. Plaintiffs

Through: Mr. Shailen Bhatia, Mr. Arnav Chatterjee, Ms. Sreelakshmi Menon and Ms. Ishita Suri, Advocates.

versus

M/S OM SHIVA PRODUCTS INC & ORS. Defendants

Through: Ms. Sucheta Roy and Mr. Shashwat Rakshit, Advocates.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
10.02.2023

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I.A. 2673/2023 (u. Order VI R. 17 r/w Sec. 151 of the Code of Civil Procedure, 1908 [“CPC”] on behalf of Plaintiffs seeking amendment of Plaintiff)

1. Plaintiffs seeks amendment of Plaintiff by introducing facts which have emerged after filing of the Plaintiff.
2. Issue notice. Ms. Sucheta Roy, counsel for Defendant accepts notice and states that she waives her right to file a reply to the instant application.
3. Given the nature of proposed amendments which serve the purpose of only elaborating on the facts already outlined in the Plaintiff, the application to amend the Plaintiff is allowed. The amended Plaintiff, accompanying the application which incorporates the proposed changes, is taken on record.
4. Disposed of.



I.A. 2674/2023 (u/ Order VIII R. 10 of CPC seeking order of decree of suit against Defendants)

5. Plaintiffs seeks a decree under Order VIII Rule 10 of CPC due to non-filing of written statement(s) by Defendants within prescribed timelines. Ms. Roy submits since Plaintiffs' request for amendment of Plaint has been allowed today, the time period to filing written statements, should commence from today as well. Mr. Shailen Bhatia, counsel for Plaintiff concurs with the request.

6. In light of the above, the application stands disposed of.

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7. Written statements to the amended Plaint shall be filed within a period of thirty days beginning from today. Replication thereto be filed within the statutory period prescribed. The directions for filing affidavits of admission/denial of documents, as issued in order dated 08th December, 2022, shall be read accordingly.

8. List before the Joint Registrar for completion of pleadings on 01st May, 2023.

9. List before the Court thereafter.

10. The next date of hearing fixed before Court *i.e.*, 08th May, 2023, stands cancelled.

SANJEEV NARULA, J

FEBRUARY 10, 2023/nk