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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 655/2019**
MR. ANIL RATHI

..... Plaintiff

Through: Ms. Mehak Dua, Adv.

versus

M/S GARG STEEL & ORS.

..... Defendant

Through: Mr. Shivankar, Adv. for D-6
Mr. Subhash Chawla, Adv. for D-10
to 13

CORAM:
JOINT REGISTRAR (JUDICIAL) SH. PURSHOTAM PATHAK
(DHJS)

ORDER
% **22.02.2022**

I.A. No. 2930/2022 filed by filed by plaintiff under Order XXII
Rule 2, CPC for taking the LR's of deceased defendant no.16 on
record

Learned counsel for the plaintiff submits that there is no need of issuing any notice to the LR's of deceased defendant no. 16 as his legal heirs are already on record. However, considering that the present IA is not supported by death certificate of the defendant no.16 and the factum of death has to be verified, let notice be issued to the LR's of defendant no. 16 on filing of PF and through all permissible modes including e-mail, returnable by next date of hearing.



CS(COMM) 655/2019

Defendants no. 1 to 5, 7, 14 to 22 have not filed their written statements despite service.

Written statements filed by defendants no.6, 8 & 9 to 13 is still lying under objection. Let the learned counsel to check with Registry about the status of written statements of defendants no.6, 8 & 9 to 13, remove the objections if any and to take steps to bring the same on record by next date of hearing.

Replication qua written statement of defendant no.6, 8 & 9 to 13 has already come on record.

Mr. Subhash Chawla, learned counsel appearing for defendants no.10 to 13 submits that previously he was also appearing on behalf of defendants no.6, 8 & 9 but now he has withdrawn his vakalatnama.

Defendant no.6 has made his appearance through his counsel. However, no one has appeared on behalf of defendants no.8 & 9. In the interest of justice, considering the COVID-19 pandemic, issue court notice to defendants no.8 & 9 and also to defendants no.1 to 5 & 7, returnable by next date of hearing.

Put up for completion of pleadings on 11.04.2022.

PURSHOTAM PATHAK (DHJS), J
FEBRUARY 22, 2022/tp

[Click here to check corrigendum, if any](#)