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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 819/2023**
M/S BLUE HEAVEN COSMETICS PRIVATE LIMITED

..... Plaintiff

Through: Mr. Sahil Gupta (VC), Advocate

versus

**M/S RAJDHANI TRADERS THROUGH ITS
PROPRIETOR MR GORDHAN SINGH & ORS.**

..... Defendant

Through: None

CORAM:
**JOINT REGISTRAR (JUDICIAL) Dr. AJAY
GULATI (DHJS)**

ORDER
17.05.2024

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**I.A. No. 22588/2023 (Application under Order XXXIX Rules
1 and 2 CPC).**

Defendant no. 2 is yet to file compliance affidavit in terms of the directions passed by the Hon'ble Court on 19.02.2024. It needs a highlight that defendant no. 3 is yet to be served. Defendant no. 1 however stands served on 15.12.2023, as has been recorded in the order dated 16.02.2024 of the Joint Registrar.

CS(COMM)- 819/2023:

As directed by the Joint Registrar vide order dated 16.02.2024, plaintiff has filed affidavit of correctness of the address of defendant no. 3. However, summons have yet not been issued although process fee is stated to have been filed in March'2024. The e-filing log, however, shows that affidavit as above alone has been filed. Plaintiff is directed to file PF within



a week and thereafter, summons be issued to defendant no. 3, as per the affidavit of correctness of address.

Despite service of summons to defendant no. 1, no written statement has been filed. Maximum permissible period to file the same has expired. Consequently, right to file the written statement on behalf of defendant no. 1 stands closed.

Ld. Counsel for the plaintiff submits that a copy of written statement which has been refiled by defendant no. 2 has not been supplied to him. There is no appearance on behalf of defendant no. 2 today. Let the copy of the refiled written statement be supplied to ld. Counsel for the plaintiff. Time to file replication shall commence from the date of receiving copy of the refiled written statement.

Put up for completion of pleadings on 09.08.2024.

**Dr. AJAY GULATI (DHJS),
JOINT REGISTRAR (JUDICIAL)**

MAY 17, 2024/sk

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