



\$~5

* **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

% **ORDER**
09.08.2024

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

1. Reply has been filed only on behalf of defendant no. 2. No reply has been filed by defendant no. 1 whereas defendant no. 3 is yet to be served even with the summons. Since defendant no. 1 has been served on 15.12.2023 and no reply has been filed till now, right of defendant no. 1 to file a reply stands closed. Neither defendant no. 1 nor defendant no. 2 have filed their compliance affidavits in terms of the directions issued by the Hon'ble Court on 19.02.2024.

CS(COMM) 819/2023:

2. Replication to the written statement of defendant no. 2 has yet not been filed for the reason that a copy of the written statement which was re-filed on behalf of defendant no. 2, has yet not been supplied to Ld. Counsel for the plaintiff. Direction



in this regard was given in the order dated 17.05.2024 to defendant no. 2 although even on that date there was no appearance on behalf of defendant no. 2 as is the case today also.

3. So far as non-service of defendant no. 3 is concerned despite fresh summons having been issued, ld. Counsel for the plaintiff submits that appropriate steps shall be taken within three weeks. It needs a highlight that even after issuance of fresh summons, defendant no. 3 remains unserved.

4. Put up for completion of pleadings on 27.09.2024.

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

AUGUST 9, 2024/sk

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