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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 1339/2014

RECKITT BENCKISER (INDIA) LIMITED

..... Plaintiff

Through: Ms. Prakriti Varshney, Adv.

versus

THE ADVERTISING STANDARDS COUNCIL OF INDIA

..... Defendant

Through: Ms. Avni Singh, Adv.

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. PURSHOTAM PATHAK
(DHJS)**

ORDER

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11.07.2022

**I.A. No.10456/2022 under Section 151, CPC seeking amendment
in the list of witnesses filed by Plaintiff**

Notice of the application accepted by learned counsel for defendant in the court itself.

Learned counsel for defendant submits that there is no requirement of filing any reply.

In view of submissions of learned counsel for defendant, pleadings stand complete.

By means of present application, plaintiff wants to substitute PW Ms. Anandani Arora with Mr. Aditya Sant.

Learned counsel for plaintiff has submitted that affidavit of evidence of Ms. Perna Thapa was filed as PW-1, but she left the job and in her place Ms. Hemantika Verma was substituted, who also left



her job. Thereafter, Mr.Aditya Sant was substituted in her place and as he has also left the job, now Ms.Anandani Arora has to be substituted in his place.

Learned counsel for defendant has opposed the application and has submitted that this is for the third time that the applicant has moved an application of substitution and also that the applicant wants to substitute a junior executive in place of senior executive, who cannot depose in his place.

I have heard the arguments.

Learned counsel for defendant has submitted that Ms.Anandani Arora, who is a junior executive, cannot be substituted in place of the witness who was a Senior Manager. However, it is not so, as Ms.Anandini Arora is also holding the same post of Senior Brand Manager on which previous witness was working.

Considering that on the previous occasions, the applications with same prayer has been allowed and that no prejudice would be caused to the defendant as the matter is still at the stage of plaintiff's evidence. The application is allowed and erstwhile PW-1 Mr.Aditya Sant is permitted to be substituted with Ms.Anandani Arora.

Affidavit of substituted witness PW Ms.Anandani Arora and amended list of witnesses be taken on record.

I.A. stands disposed of.

JULY 11, 2022/tp

PURSHOTAM PATHAK (DHJS), J

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