



\$~45

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CM(M) 2173/2025**

JAI PRAKASH JAIN

.....Petitioner

Through: Mr. J.K. Sharma, Advocate

versus

ANKIT SINGHAL

.....Respondent

Through: Mr. Deepak Kumar Srivastava and
Mr. Tarun Kaushik, Advocates

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **14.11.2025**

CM APPL. 71103/2025 (exemption)

1. Allowed, subject to all just exceptions.

CM(M) 2173/2025 & CM APPL. 71104/2025 (stay)

2. Petitioner/defendant has assailed order dated 13.08.2025 of the learned commercial court, whereby at the stage of final arguments, application under Order I Rule 10 CPC and Order VI Rule 17 CPC of respondent/plaintiff was allowed, thereby permitting the respondent/plaintiff to name Ms. Kumkum as proprietor of Durga Trading Company. It appears that originally the suit was filed by Mr. Ankit Singhal without naming Ms. Kumkum as proprietor of Durga Trading Company. This, according to learned counsel for petitioner/defendant would not be permissible in view of proviso to Order VI Rule 17 CPC.



3. Learned counsel for respondent/plaintiff appearing on advance intimation accepts notice and seeks and is allowed four weeks to file reply.
4. Till next date, proceedings before the learned trial court shall remain stayed.
5. Relist on 15.04.2026 in Advance List.

GIRISH KATHPALIA, J

NOVEMBER 14, 2025/as