



\$~31

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

+ **CS(OS) 148/2018 & I.A. 13504/2022, I.A. 13505/2022**

THE YOUNG MENS CHRISTIAN ASSOCIATION OF

ERNAKULAM & ORS

..... Plaintiffs

Through: Mr. P.I. Jose, Advocate.

versus

NATIONAL COUNCIL YMCAS OF INDIA & ORS. Defendants

Through: Mr. Manish Sharma & Mr. Puneet Jaiswal, Advocates for D1.

Mr. Purvesh Buttan, Advocate for D12.

Mr. A.S. Chandhiok, Senior Advocate with Mr. R.K. Joshi, Mr. Ojasya Joshi & Ms. Neelam Deol, Advocates for D13 & D14.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **26.08.2022**

I.A 13167/2022

Although this application was listed before the learned Joint Registrar on 23.08.2022 when counsel for the proposed defendants was present on advance copy; and a copy of the complete paper-book stands supplied to counsel, it appears that formal notice on this application was not issued.

2. Mr. A.S. Chandhiok, learned senior counsel appearing for the proposed defendants submits that even notice cannot be issued on this



application, since in a suit under section 92 of the Code of Civil Procedure, 1908 a plaintiff cannot ask for impleadment of parties. However, in the opinion of this court, any objection, including as to maintainability of the impleadment application, ought to be made by way of a reply.

3. Accordingly, issue notice.
4. Mr. R.K. Joshi, learned counsel for the proposed defendants accept notice; and seek time to file reply.
5. Let reply be filed within 03 weeks; rejoinder thereto, if any, be filed within 02 weeks thereafter; with copies to the opposing counsel.
6. List on 12th October 2022.
7. The date of 08.09.2022 given earlier, stands cancelled.

CS(OS) 148/2018

8. List on 12th October 2022.
9. The date of 08.09.2022 given earlier, stands cancelled.

ANUP JAIRAM BHAMBHANI, J.

AUGUST 26, 2022/uj