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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(COMM) 859/2016

KONARK EXIM PVT LTD

..... Plaintiff

Through: Mr. Abhishek Gupta, Advocate.

versus

CONTAINER CORPORATION OF INDIA LTD

..... Defendant

Through: Mr. M.M. Kalra & Ms. Sonali Kumar,
Advocates

CORAM:

SH. RAJESH KUMAR SINGH (DHJS), JOINT REGISTRAR

ORDER

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25.08.2017

I.A. No.4191/2017 under Section 151 CPC filed by the plaintiff.

Reply and rejoinder filed. Pleadings are complete. Arguments of learned counsel for parties heard. By way of this I.A., plaintiff seeks permission to change the name of the plaintiff in the memo of parties pursuant to the change in name of the plaintiff for which fresh certificate of incorporation has been issued by the Registrar of Companies. Objection by learned counsel for defendant is regarding delay. Learned counsel for plaintiff have relied upon the judgment dated 22.02.2007 and passed by Hon'ble Division Bench of Delhi High Court in F.A.O. 454 of 2006 and judgment dated 01.12.2009 passed by Hon'ble Single Bench of Delhi High Court in C.M. (M) No.807/2008. I have considered the submissions made by the learned counsel for the parties. The prayer is formal in nature and no



prejudice is caused to the defendant even if there is a delay on part of the plaintiff.

I.A. is allowed. Learned counsel for plaintiff submits that amended memo of parties has already been filed. It be taken on record.

C.S. (COMM) No.859/2016

Registry is directed to change the name of the plaintiff from M/s. Konark Exim Pvt. Ltd. to M/s. High Value Exim Pvt. Ltd. in the cause title of the suit. Plaintiff is permitted to file additional affidavit to incorporate the new board resolution.

List on 19.12.2017 & 20.12.2017 for PE at 2:00 P.M.

**RAJESH KUMAR SINGH (DHJS)
JOINT REGISTRAR**

AUGUST 25, 2017/na