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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 4/2018

M/S M.P.S. EXIM PVT. LTD. & ORS

..... Plaintiffs

Through: Ms. Aastha Dhawan, Adv.

versus

MR. DHARMENDER YADAV & ORS

..... Defendants

Through: Mr. Gaurav Mitra and Mr. Kartik
Nagarkatti, Advocates for D-1 to 4
Mr. Ajay Uppal, Adv. for Intervenor

CORAM:

**SH. RAJ KUMAR TRIPATHI (DHJS), JOINT REGISTRAR
(JUDICIAL)**

ORDER

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31.10.2018

**I.A. No. 11080/2018 (under Order I Rule 10 r/w Section 151 CPC
filed by applicant for seeking its impleadment as defendant in the
case)**

Advance notice of I.A. served upon counsel for plaintiffs, who submits that she has no objection if the application of applicant is allowed and applicant is impleaded as a party in the case.

For the reasons disclosed in the application and submissions advanced by learned counsel for both the parties, the instant application filed by applicant is hereby allowed. The applicant i.e. M/s Tata Capital Financial Services Ltd. is hereby impleaded as defendant no.5 in the case.

I.A. stands disposed of.



Fresh amended memo of parties be filed by plaintiffs within two weeks.

I.A. No. 11082/2018 (under Section 151 CPC filed by applicant for seeking clarification of order dated 08.01.2018)

Counsel for plaintiffs as well as defendants seek time to file reply to the I.A. Let reply to the I.A. be filed by them within two weeks with advance copy to counsel for applicant, who is at liberty to file rejoinder to the same within one week thereafter.

CS(OS) 4/2018

Cost of Rs.2500/- in terms of order dated 31.07.2018 paid by counsel for defendants to counsel for plaintiffs in the Court.

Counsel for plaintiffs submits that she has already filed replication, documents and affidavit for admission/denial of documents on 30.10.2018 vide diary no. 402756, 402717 and 403001. Copy of same supplied to counsel for defendants.

Learned counsel for plaintiffs submits that she does not wish to amend the plaint after impleadment of M/s Tata Capital Financial Services Ltd. as defendant no.5 in the case.

Copy of plaint along with complete set of paper book be supplied to counsel for defendant no.5 within three working days from today against receipt. Thereafter, defendant no.5 shall file its response to the suit of plaintiffs along with affidavit for admission/denial of documents within four weeks.

Replication along with affidavit for admission/denial of



documents may be filed by plaintiffs within two weeks thereafter.

Re-notify for completion of pleadings in the main suit as well as I.A. no. 11082/2018 and also for marking of exhibits to the documents on 22nd January, 2019.

**RAJ KUMAR TRIPATHI (DHJS)
JOINT REGISTRAR (JUDICIAL)**

OCTOBER 31, 2018/tp