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

+ **CM(M) 952/2017**

BINU ANAND KHANNA

..... Petitioner

Through: Mr. Ashish Verma, Mr. Rohan Malik
& Mr. Manish Srivastava, Advs.

Versus

RATAN TATA CHAIRMAN & ORS

..... Respondents

Through: Ms. Meenakshi Midha, Mr. Kapil
Midha & Ms. Bhavya Lakhwara,
Advs. for R-7.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **01.09.2017**

Caveat No.789/2017

1. The counsel for the respondent no.7/caveator appears.
2. The caveat stands discharged.

CM No.32014/2017 (for exemption)

3. Allowed, subject to just exceptions.
4. The application is disposed of.

**CM(M) 952/2017, CM No.32013/2017 (for stay) & CM No.32015/2017
(for summoning complete records of Civil Suit No.59072/2016)**

5. This petition under Article 227 of the Constitution of India impugns the order [dated 17th August, 2017 in Civil Suit No.59072/2016 of the Court of Additional District Judge-03 (ADJ), Patiala House Courts, New Delhi] of dismissal of the application filed by the petitioner / plaintiff under Order VI Rule 17 of the CPC for amendment of the plaint.

6. After some hearing, the counsel for the petitioner withdraws this petition stating that he will file another application under Order VI Rule 17 of the CPC.
7. Dismissed as withdrawn.
8. As far as the liberty is sought, dismissal of one application under Order VI Rule 17 of the CPC does not bar the filing of another application under Order VI Rule 17 of the CPC.
9. Though there is some controversy whether the petitioner wants to file the second application by using a different language than the application which has been dismissed but without the application being before the Court, it cannot be said whether it will be to the same effect though under a different language or otherwise. It will be open to the Suit Court to consider the fresh application if any filed by the petitioner and all pleas will remain open to all the parties.

RAJIV SAHAI ENDLAW, J

SEPTEMBER 01, 2017

‘gsr’..