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

+ **CS(OS) 2434/2012**

M/S NAKSHATRA STEEL SALES & SERVICES LTD Plaintiff

Through: Mr. S. S. Wani and Mr. Himanshu
Garg, Advs.

versus

M/S R.S ENTERPRISES(FIRM) & OTHERS Defendants

Through:

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **06.05.2019**

I.A. 6648/2019 (application under Section 151 of CPC 1908 on behalf of the plaintiff/applicant for substitution of name of the plaintiff)

1. The present suit was decreed on 19th November, 2018 in terms of Settlement Agreement dated 13th November 2018 marked as Ex. C1. While decreeing the suit, the Court also issued a direction to the Registry to issue the necessary certificate to the Plaintiff for refund of Court Fees under Section 16 of the Court Fees Act. The Plaintiff by way of this application, seeks the substitution of the name of the Plaintiff on account of the change in its name. In support of the application, Plaintiff has filed a Certificate of Incorporation issued by the Registrar of Companies, Delhi pursuant to Rule 29 of the Companies (Incorporation) Rules, 2014, whereby it has been certified that the name of the Plaintiff company has been changed from Nakshatra Steel Sales & Services Ltd. to Leo Infracapital Limited w.e.f. 25th October, 2014. It is also seen from the Settlement Agreement dated 13th

November, 2018, which forms of the part of the decree, that the Settlement was arrived at by Leo Infracapital Limited (formally known as Nakshatra Steel Sales & Services Ltd.) as one of the parties. Learned counsel for the Plaintiff states that at the time of passing the decree, this aspect was not brought to the notice of the Court. He further states that the Defendants are also making the payments in the name of Leo Infracapital Limited in terms of the settlement.

2. Keeping in view the aforesaid facts and for the reasons stated in the application, the same is allowed. The name of the Plaintiff is permitted to be changed to Leo Infracapital Limited. The amended memo of parties along with this application is taken on record.

3. Registry is directed to issue certificate to the Plaintiff for refund of Court Fees in favour of Leo Infracapital Limited.

4. The application stands disposed of in the above terms.

SANJEEV NARULA, J

MAY 06, 2019

Pallavi