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

+ CM(M) 1218/2016 & CM 44116/2016

POONAM JHA

..... Petitioner

Through: Mr. H.K. Shekhar, Advocate.

versus

VIJENDER KUMAR JHA & ANR

..... Respondents

Through: Mr. Sanjay Verma, Advocate.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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18.01.2018

After some hearing, the learned counsel for the respondent fairly concedes that the amendment as proposed in the application under Order 6 Rule 17 of the Code of Civil Procedure, 1908 which was disallowed by the impugned order dated 17.09.2016 may be permitted, though subject to the objection, *inter alia*, on the issue of limitation, which plea he proposes to take in the written statement to be submitted in answer to the amended plaint.

In above view, the impugned order is set aside. The application under Order VI Rule 17 CPC stands allowed. The amended plaint shall be taken on record on the next date before the trial court. Thereafter, the respondents will have the liberty to file written statement in answer to the amended plaint for which the court shall give appropriate direction specifying the time.

The petition and the application filed therewith stand disposed of in above terms.

R.K.GAUBA, J

JANUARY 18, 2018

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