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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 1087/2018

PRABHAT INDUSTRIES

..... Plaintiff

Through: Ms. Kamla, Adv

versus

TRSD FOODS PRIVATE LIMITED

..... Defendant

Through: Mr. Umesh Mishra, Adv

CORAM:

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

ORDER

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07.01.2019

**IA No. 13196/2018 (u/O 1 Rule 10 r/w Section 151 CPC filed by
plaintiff for impleadment of proposed defendants)**

Notice of IA issued to proposed defendants by way of ordinary mode of service not received back. Same be awaited.

Notice of IA issued to proposed defendant No.3 by way of registered post returned back unserved with report “incomplete address”. Plaintiff is directed to ascertain the full particulars of proposed defendant No.3 and get him served for the next date of hearing.

Meanwhile, fresh steps for service of proposed defendants by all permissible modes be taken by plaintiff, returnable for next date of hearing.

IA No. 42/2019 (u/O VIII Rule 1 r/w Section 151 CPC filed by defendant for seeking condonation of delay in filing of written statement)

Advance copy of IA already supplied to counsel for plaintiff.

Heard on IA. Record perused.

As per office report, defendant has been served on 27.09.2018. Defendant has already filed its response to the suit of plaintiff on 12.11.2018. There is delay of 15 days in filing of written statement by defendant.

For the reasons stated in the application and submissions advanced by learned counsel for both the parties, delay of 15 days in filing of written statement by defendant is condoned, in the interest of justice.

IA stands disposed of.

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Let replication alongwith affidavit for admission/denial of documents be filed by plaintiff on or before the next date of hearing with advance copy to counsel for defendant.

Matter is already coming for hearing before Hon'ble Court on 16.01.2019.

Accordingly, as prayed, list the matter before Hon'ble Court on the date already fixed in the case i.e. on 16.01.2019.

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

JANUARY 07, 2019

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