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A.No.1886 of 2022
in
C.S.No.368 of 2021

P.VELMURUGAN, J.

This application has been filed to grant leave to the applicants/plaintiffs to substitute the second respondent herein as the fifth defendant in the place of the first respondent herein/fifth defendant in C.S.No.368 of 2021 and consequently permit the applicants to carry out necessary amendment in the relevant places in the plaint, morefully described in the particulars of amendment in the schedule to Judge's summons under Order XIV Rule 8 of the Original Side Rules of this Court read with Order XXII Rule 10(1) and Order VI Rule 17 of Code of Civil Procedure, 1908.

2.The learned counsel for the applicants/plaintiffs would submit that the first respondent herein/Company was merged with M/s.DLF Home Developers Limited. By virtue of de-merger of M/s.DLF Home Developers Limited, the second respondent herein came into existence and the properties morefully described as Item 6 in the Schedule to the plaint, are vested with the second respondent in this application. Hence,



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the second respondent herein is to be substituted in the place of the first respondent herein/fifth defendant.

3. Heard both sides and perused the materials available on record.

4. On being satisfied with the averments made in the affidavit filed in support of the present application and also considering the submissions made by the learned counsel on either side, this Court is of the opinion that if the second respondent herein is substituted as 5th defendant in the suit, no prejudice would be caused to the other side. Accordingly, this application is allowed and the second respondent/proposed respondent is substituted as 5th defendant in the above suit.

5. The learned counsel for the applicants/plaintiffs is directed to carry out necessary amendment in the plaint and file a copy of the amended plaint before the Registry.

28.04.2022

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