



A No. 2244 of 2025

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-09-2025

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THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

A No. 2244 of 2025

in

C.S(COMM DIV) No. 198 of 2022

M/s Sri Padman Biosciences Pvt Ltd

Represented by its Director

Mr T L Narasimhan

Having registered office at AP-348,

Ground Floor, 29th Street,

“I” Block Anna Nagar West,

Chennai - 600 040

GSTIN/UIN No.33AA/CS8802J1Z5

Applicant(s)

Vs

1. M/s Bookmed Technologies Pvt Ltd

Represented by its Directors

Having registered office at

No.1/26, 1st Floor, No.3, Sri Gurukripa

Arcade, Royal Lakefront Residency,

1st Phase, J.P.Nagr, 8th Phase,

Bangalore 560 076.



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2.Narasingarao Hindpur

Director of Bookmed Technologies

Private Limited

No 1/26, 1st Floor, No.3, Sri Gurukripa

Arcade, Royal Lakefront Residency,

1st Phase, J P Nagar, 8th Phase,

Bangalore - 560 076

Padma Narasinga Rao (Deceased)

3.Udhay Simha H N

Son of Padma Narasinga Rao

4.Vijay Simha H N

Son of Padma Narasinga Rao

5.Indira H.N

Daughter of Padma Narasinga Rao

Respondents 3-5 residing at

No.3C/13, Nandi Gardens

Phase – 1, J.P.Nagar, 9th Phase

Bengaluru – 560 062.

Respondent(s)

PRAYER in A No. 2244 of 2025

Application filed to bring on record Respondents 3 to 5 as the legal heirs of the 3rd Defendant and array them as Defendants 4 to 6 in C.S.(Comm.Div) No.198 of 2022.

For Applicant(s): Mr.Avinash Wadhwani

For Respondent(s): Ms.Taniya Kapoor (for R3)



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ORDER

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This Application has been filed to bring on record Respondents 3 to 5 as the legal heirs of the 3rd Defendant and array them as Defendants 4 to 6 in C.S.(Comm.Div) No.198 of 2022.

2.Ms.Tanya Kapoor, learned counsel appears on behalf of the third respondent. Despite the names of the respondents 4 & 5 are printed in the causelist, they have not chosen to appear before this Court either in person or through their counsel.

3.Heard the learned counsel for the petitioner and the learned counsel for the third respondent.

4.The learned counsel for the third respondent contended that this application is not maintainable, as there is no cause of action against the legal representatives of the deceased 3rd defendant, who are the proposed respondents 4 to 6 and there is no mention or whisper about the participation of the present legal representatives in the business and therefore, she pleaded for dismissal of this petition. She relied upon the order of this Court made in CRP.(PD).Nos.2510 of 2014 and batch cases dated 15.11.2017 and judgment of High Court of Delhi in ***Rajender Nath Bhaskar and another Vs. Bhaskar Stoneware Pipes (P) Ltd., and others*** reported in ***(1990) 68 Comp Case 256***.

5.The learned counsel for the Applicant/plaintiff submitted that the



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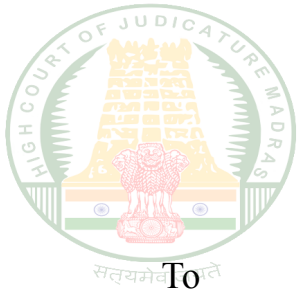
judgment relied upon by the learned counsel for the 3rd respondent in ***Rajender Nath Bhaskar and another Vs. Bhaskar Stoneware Pipes (P) Ltd., and others*** reported in ***(1990) 68 Comp Case 256*** is on a different jurisdiction viz., Company Appeal under Order 22, Rule 4 of the Civil Procedure Code r/w. Rule 9 of the Companies (Court) Rules, 1959. He further submitted that the facts of the judgment relied upon by the 3rd respondent are totally different. He drew the attention of this Court to the written statement filed by the first defendant, wherein it is specified that the 3rd respondent herein viz., Uday Simha is the authorised signatory. He further submitted that in an application under Section 22 CPC, when the parties are arrayed as legal representatives, they ought to have been impleaded.

6. In view of the above said facts and circumstances, I am of the view that the present Application viz., A.No.2244 of 2025 has to be allowed. Accordingly, A.No.2244 of 2025 is allowed. Consequently, the plaintiff is directed to carry out the amendments in the plaint and serve a copy of the amended plaint on the other parties forthwith.

03-09-2025

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To
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Director of Bookmed Technologies
Private Limited
No 1/26, 1st Floor, No.3, Sri Gurukripa
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N.SENTHILKUMAR J.

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C.S(COMM DIV) No. 198 of 2022**

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