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

+ **CS(COMM) 677/2023**

CONCEPTUM LOGISTICS INDIA PVT LTDPlaintiff

Through: Mr. Amitava Majumdar, Mr. Arvind
Kumar Gupta, Mr. Abhiesumat
Gupta, Mr. Arun Bhattacharya & Mr.
Ashutosh Tiwari, Advs.

versus

SAMRAJAYA GLOBAL SHIPPING SERVICESDefendant

Through: None

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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29.04.2025

I.A. No. 10029/2025 (under Order XXXVII Rule 6 (a) CPC)

1. This application has been moved by the plaintiff drawing attention of this Court to judgment dated 9th April 2025 passed by this Court, whereby the '*leave to defend*' application filed by the defendant under Order XXXVII Rule 3(5) of the Code of Conduct ('CPC') was dismissed.

2. It is submitted, that in view of provisions Order XXXVII Rule 3(6) CPC, plaintiff is entitled to a decree in its favour. However, instead of passing a decree in favour of plaintiff, the matter was inadvertently directed to be placed before the Joint Registrar (Judicial) for further proceedings on 13th May 2025.

3. The present application has been moved seeking correction of the said judgment.

4. Considering that the '*leave to defend*' application had been dismissed by this Court, a decree ought to have followed in favour of the plaintiff.

5. **Accordingly, the application is allowed.**

This is a digitally signed order.

The authenticity of the order can be verified from the High Court server by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 02/05/2025 at 12:14:09



6. Order stands modified to the following extent and the relevant part shall now read as under:

“CS(COMM) 677/2023

- 1. In view of dismissal of ‘leave to defend’ application, the suit stands decreed in favour of plaintiff.*
 - 2. Decree sheet be drawn up in terms of prayer ‘A & B’ of the plaint. Registry is directed accordingly.”*
7. Application, accordingly, stands disposed of.

CS(COMM) 677/2023

1. The suit stands decreed and decree sheet be drawn up by the Registry, as noted above.
2. Directions for placing the matter before the Joint Registrar stands recalled, and the date of 13th May 2025 fixed before the Joint Registrar stands cancelled.
3. Order be uploaded on the website of this Court.

ANISH DAYAL, J

APRIL 29, 2025/sm/bp