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

+ **CM(M) 1322/2025 & CM APPL. 43654-43656/2025**

AVNISH BANSAL

.....Petitioner

Through: Ms.Ankita Chaudhary, Mr. Avnish
Dave, Mr. Shreyoj Balaj & Mr. Chand
Kapoor, Advs

versus

SANJEEV KUMAR JAIN

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

23.07.2025

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1. Petitioner is defending a Suit for Recovery and has already filed his written statement.
2. During pendency of the suit, the plaintiff moved an application under Order 1 Rule 10 CPC praying for impleadment of certain parties, who according to him were proper and necessary parties.
3. However, it was filed with the prayer that the suit be dismissed for non-joinder of proper and necessary parties.
4. It seems that because of the nature of the prayer made in the abovesaid application, the abovesaid application has been dismissed, as being not maintainable and beyond the scope of law.
5. During course of the arguments, learned counsel for the petitioner also, in all fairness, admitted that the prayer clause was not appropriately worded which has resulted in dismissal of his said application. She submits that in view of the above, she does not press the present petition but seeks liberty to

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file application under Order 1 Rule 10 CPC afresh seeking impleadment of such necessary/proper parties.

6. In view of the aforesaid, the present petition is dismissed as not pressed.

7. Simultaneously, liberty is granted to the petitioner to move application afresh under Order 1 Rule 10 CPC seeking addition of any party which he thinks to be necessary and proper one. As and when, any such application is filed, without being influenced by the impugned order dated 17.03.2025, learned Trial Court shall consider the same and would dispose of the same in accordance with law.

8. It is however, clarified that this Court has not made any observation with respect to the merits of such proposed application.

MANOJ JAIN, J

JULY 23, 2025
Sk/SHS