

\$~23.

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

+ CS(OS) No.123/2017

MAHESH MURTHY

..... Plaintiff

Through: Mr. Ravi Prakash, Ms. Bani Dikshit
and Ms. Saroj Bala, Advs.

versus

POOJA CHAUHAN & ORS.

..... Defendants

Through: Mr. Akhil Mittal and Mrs. Rachana
Maheswari, Advs. for D-1.

Ms. Suhasini Sen and Ms. Swathi
Sukumar, Advs. for D-3&4.

Mr. K.P.S. Kohli and Mr. Amritpal
Singh, Advs. for D-7.

Mr. Siddharth Vaid, Adv. for D-8.

Mr. Sumit Nagpal and Ms. Nishika
Arora, Advs. for D-10.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **28.04.2017**

IA No.5138/2017 (of the plaintiff under Order VI Rule 17 CPC), IA No.5230/2017 (of the plaintiff under Order XXXIX Rules 1&2 CPC) and IA No.5231/2017 (of the plaintiff under Order I Rule 10(2) CPC).

1. This order is in continuation of yesterday's order in IA No.5138/2017.
2. The counsel for the plaintiff states that he has also filed proposed amended plaint.
3. The plaintiff, by these applications seek to implead additional defendants and to amend the plaint to incorporate pleas qua the defendants sought to be impleaded and interim order as existing to be extended to the newly impleaded defendants also.

4. The counsel for defendant no.1 appearing on advance notice states that time be given to file reply to the applications.
5. I have however enquired from the counsel for the defendant no.1 as to what is the concern of the defendant no.1 with the said applications for impleadment of others as defendants and amendment of the plaint qua the persons sought to be added as defendants.
6. No response is forthcoming.
7. The counsel for defendant no.2 appearing on advance notice states that she has no objection save that the plaintiff has in the amended plaint averred that some of the existing defendants have violated the interim order and which fact is disputed.
8. The stand of the counsel for defendant no.10 is the same.
9. The counsel for defendant no.8 states that no copies of the applications have been received and the address given in the memo of parties of the defendant no.8 is wrong.
10. The counsel for defendant no.8 to give correct address of the defendant no.8 as well as his contact particulars to the counsel for the plaintiff.
11. The counsels appearing for other defendants have not made any submissions.
12. For the reasons stated, the applications are allowed and the proposed defendants shown in the amended memo of parties dated 26th April, 2017 are impleaded as defendants no.13 to 19 and the amendments to the plaint permitted and the interim order already in force is extended to the newly impleaded defendants as well.

13. The applications are disposed of.

CS(OS) No.123/2017.

14. The amended memo of parties and the amended plaint are taken on record.

15. The plaintiff to take steps for service of the newly impleaded defendants by all modes including *dasti* and electronic, returnable on 19th July, 2017.

16. The plaintiff to also comply with the provisions of Order XXXIX Rule 3 of the Code of Civil Procedure, 1908 (CPC).

17. The counsel for the plaintiff also seeks a direction for removal of the allegedly defamatory posts from various social media and internet sites.

18. The counsels for the defendants oppose.

19. This aspect shall be considered on 19th July, 2017.

20. Written statements to the amended plaint be filed by all the existing defendants as well.

21. Replications before the next date.

RAJIV SAHAI ENDLAW, J

APRIL 28, 2017

‘pp’..