

CS (Comm.) No. 789/2025
Mohit Gaur vs. Hemant Kumar Vaid

04.11.2025

Present: Sh. Gautam Maan, Ld. Proxy Counsel for plaintiff through VC.

Defendant is already exparte.

Till date neither the list of witnesses nor the evidence by way of affidavit on behalf of the plaintiff filed.

Ld. Proxy Counsel for the plaintiff submits that evidence by way of affidavit shall be filed today itself but no reason at all has been assigned as to why it has not been filed till date. Last date of hearing was 10.10.2025. Plaintiff had sufficient time to file the evidence by way of affidavit. Even no explanation has come forward as to why the witness is not present today. Unnecessary the precious time of the court has been wasted. Therefore, the plaintiff is burdened with cost of Rs.20,000/- to be deposited with DLSA (Central).

Now file be taken up for **exparte plaintiff evidence** on 18.11.2025.

(Rajesh Kumar Goel)
District Judge (Commercial Court)-02
Central District, Tis Hazari Courts, Delhi
04.11.2025

2:30 PM

File is taken up at the request of the Ld. Counsel for the plaintiff.

Present: Sh. Amit Punia, Ld. Counsel for the plaintiff.
Plaintiff Mohit Guar in person.
Defendant is already exparte.

Evidence by way of affidavit of PW1 along with an affidavit under Order 11 Rule 6 CPC on behalf of the plaintiff filed. Same is taken on record.

PW1 Mohit Guar is examined and discharged.

Ld. Counsel for the plaintiff submits that no other witness is to be examined by the plaintiff. In this regard, statement of the plaintiff is recorded separately in view of which **exparte plaintiff's evidence stands closed.**

At this stage, Ld. Counsel for the plaintiff has made a request waiver of the cost as imposed in the morning session stating that witness was there in the morning also but he could not appear before the court as he was not aware about the procedure.

In view of the submissions made and in the interest of justice, the cost of Rs.20,000/- imposed in the morning session is waived off.

Now file be taken up for **exparte final arguments** on the date already fixed i.e. **18.11.2025.**

(Rajesh Kumar Goel)
District Judge (Commercial Court)-02
Central District, Tis Hazari Courts, Delhi
04.11.2025