

24.05.2024

Present : Ms. Geeta Vohra, Ld. Proxy Counsel for the plaintiff
alongwith Mr. Harshit Aggarwal.
Mr. Pramod Kumar Sharma and Mr. Ishant Bajaj,
Ld. Counsels for the defendant alongwith
Mr. Ravinder Singh.

Application under Order 6 Rule 17 of CPC, amended written statement, application under Order 14 Rule 5 of CPC and an application for producing additional documents are filed by Ld. Counsels for the defendant.

Copies are supplied to the Ld. Proxy Counsel for the plaintiff.

She submits that the applications have been filed only to delay the disposal of the suit. She states that no advance intimation was given to the plaintiff or to its Counsel about the applications being filed. She submits that had advance intimation been given, the witness of the plaintiff would not have left his work and come to the Court.

She states that today was the last opportunity granted to the defendant for concluding cross-examination of the witness of the plaintiff.

Per Contra, Ld. Counsels for the defendant submits that the above applications have been filed in view of the developments which took place after written statement was filed. He states that

he had informed the Ld. Main Counsel for the plaintiff yesterday that the applications will be filed.

The submission of the Ld. Counsels for the defendant that they had informed the Ld. Main Counsel for the plaintiff that application will be filed is refuted by Ld. Proxy Counsel for the plaintiff. She submits that she will file reply to the applications.

Let advance copy of reply to the applications be supplied to the Ld. Counsel for the defendant atleast 15 days prior to the next date of hearing.

To come up for arguments on the applications on 14.11.2024.

In view of the above submissions made on behalf of the plaintiff, it is made clear that in case the above applications are found to be devoid of merit after hearing of arguments and are dismissed, heavy costs will be imposed upon the defendant for compensating the plaintiff for the delay caused to the disposal of the suit due to filing of the applications.

(Shirish Aggarwal)
District Judge-03
Patiala House Courts, New Delhi
24.05.2024