

CS No. 58586/16

Rama Dhawan Vs. Naresh Kumar

15.01.2019

Present: Ld. Counsel for the plaintiff.
None for the defendant.

An application is moved for waiver of cost which was imposed on 03.01.2019 thereby submitting that on 30.10.2018 when counsel for plaintiff appeared, he noted wrong date of 2019. Hence, they could not appear on the next date of hearing and cost was imposed.

Heard on the application and gone through the record.

It is to be noted that on 05.07.2018, directions were given to obtain Certificate from the Statesman newspaper but the said Certificate was not filed despite three opportunities and hence on the fourth date such cost was imposed. The cost was imposed considering the conduct of the plaintiff on the last three dates of hearing also. No ground for allowing this application. Same is dismissed. They are directed to deposit the cost before the next date of hearing.

It is submitted that the newspaper Statesman has refused to hand over their Certificate unless there are specific directions of the Court.

In the circumstances, Editor-in Chief/Incharge, Statesman Newspaper is hereby directed to apprise and file a Certificate in the Court that whether the newspaper in which plaintiff got publication done regarding the service of defendants Suresh Kumar and Raj Kumar Dhawan has circulation in the States of California and Florida or not.

Copy of order be given dasti to plaintiff for compliance on the next date of hearing.

Put up for further proceedings and compliance of order dated 05.07.2018 for the next date of hearing. Further plaintiff is directed to get Seema Jaitley also served as per directions already given as she is also residing in USA.

Put up for further proceedings on **18.02.2019**.

(TWINKLE WADHWA)
ADJ-03/PHC/NEW DELHI
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At this stage, Shri Tarun Aggarwal, Ld. Proxy Counsel for defendant has appeared.

(TWINKLE WADHWA)
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