

CS No. 575693/16

M/s Switch Comm. V/s Manoj Sharma.

15.10.2019

Present: Sh. Manish Kumar, counsel for plaintiff.

Ms. Azma Praveen, counsel for defendant.

Matter is at the stage of final arguments. On last date of hearing, one application was filed on behalf of the defendant for rescheduling the date of hearing and for recording the fact of payment of cost by the defendant. Copy already received. It is submitted on behalf of the defendant that cost of Rs. 1000/- was paid by the defendant to the plaintiff on 16.04.2019 but the said fact was not mentioned in the order. Counsel for plaintiff states that though he could not say with surety whether the cost was paid or not by the defendant but he has no objection if the present application is allowed.

Keeping in view the specific plea of the defendant and vague response on behalf of the plaintiff, the present application is found to be bonafide one. Accordingly, the same is allowed. It is made clear that the cost of Rs. 1000/- already paid by the defendant.

It is pointed out by counsel for plaintiff that one application filed by plaintiff for waiver of the cost which was imposed on 23.09.2016 is also pending.

Heard.

Contd...../-

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Considering the facts and circumstances of the case, the application is allowed and the cost imposed on 23.09.2016 stands waived.

Put up for final arguments on 09.12.2019.

(Sanjay Jindal)
ADJ-04(NW)/Rohini Courts
Delhi/15.10.2019