

**CS No. 9722/ 16**

**M/s OMSA Infrastructure Services Pvt Ltd vs. M/s Grand Slam & Ors  
30.05.2017**

Present: Sh. Dinkar Singh, Counsel for plaintiff with AR for plaintiff.  
Sh. Ashish Aggarwal, Counsel for defendant.

Counsel for defendant has submitted that no advance copy of affidavit in terms of last date's order has been supplied by plaintiff to defendant. Heard. Plaintiff is directed to pay cost of Rs. 2,000/- to defendant in terms of last date's order. Counsel for plaintiff has submitted that AR for plaintiff shall pay cost to Counsel for defendant during course of the day. Counsel for plaintiff has submitted that there are certain E-mails and transcript of one SMS from Page nos. 45 to 52 in list of documents filed on behalf of plaintiff which have not been admitted or denied by defendant during course of admission/denial of documents. Counsel for defendant has submitted that these documents were neither admitted nor denied as they were photocopies only and no certificate U/s 65- B of Indian Evidence Act was appended with the same. Counsel for plaintiff has submitted that these documents are print-out and are not photocopies. Heard.

In the interest of justice, one more last and final opportunity is being granted to plaintiff for filing affidavit failing which PE shall be deemed to have been closed. Let advance copy of affidavits of witness be supplied by plaintiff to defendant atleast 10 days before NDOH failing which plaintiff shall pay cost of Rs. 5,000/- to defendant.

Be put up for PE on **22.08.2017 at 11: 30 AM.**

**(Sonu Agnihotri)**  
**ADJ-02/Se/Saket/New Delhi**  
**30.05.2017**