

CS DJ 9514/16

JATINDER SINGH SAHNI Vs. SOUTH DELHI MUNICIPAL CORPORATION

22.03.2022

Present : Sh. Amit Aggarwal, Ld. Counsel for plaintiff.

Ms. Anmol, Ld. Proxy Counsel for defendant.

Ld. Proxy counsel for defendant submits that the main counsel is not available today on account of his father being in ICU.

It is noted that the matter is listed for cross examination of DW1 Sh. S.K. Prabhakar since the year 2018. On the previous date of hearing, specific directions were given to DW1 Sh. S.K. Prabhakar to appear in person. Despite specific direction, witness/ DW1 has not appeared today and even counsel for defendant sought an adjournment on account of personal difficulty. Even if counsel for defendant was in personal difficulty, witness was to appear for his cross examination today. As DW1 has not appeared today, he is burdened for the cost of Rs.10,000/- to be paid to the plaintiff on the next date of hearing. Last opportunity is hereby granted to the defendant to examine this witness/DW1.

List for entire DE on **10.05.2022**.

(Chetna Singh)
ADJ-06/SE/Saket Court/Delhi
22.03.2022

At 11:45 am

At this stage, Ld. Counsel Ms. Anmol and Sh. Govind Kumar have appeared.

(Contd..2)

Ld. Counsel Ms. Anmol states that on account of some bonafide mistake, she was confused as regard to her appearance in this matter. She requests that her appearance in this matter may be taken off.

In view thereof, the earlier submissions made by Ld. Counsel Ms. Anmol in this matter are hereby taken off.

Ld. Counsel Sh. Govind Kumar for defendant is present and submits that on account of some personal difficulty, witness is not present today. He orally requests for waiving off or reducing the cost, which is imposed today.

Heard.

Since there was specific directions to the witness to appear today hence, I am not inclined to waive off or reduce the cost as imposed today. Accordingly, cost remains same which shall be paid to the plaintiff on the next date.

List for DE on date fixed i.e. **10.05.2022.**

(Chetna Singh)
ADJ-06/SE/Saket Court/Delhi
22.03.2022