

**M/s. Shree Jai Durge DI Cutting DIE vs. M/s. ARV Import
Export (OPC) Private Limited & Ors.**

CNR No.: DLSH01-000004-2025

CS (Comm.) No. 01/2025

30.08.2025

Present : Ms. Pinki Sah, Ld. Counsel with Mr. Aatish, Ld. Counsel and
Mr. Rishikesh Kumar, Proprietor of the plaintiff
Mr. Kamal, Ld. proxy Counsel for the defendants.

Ld. Counsel for the plaintiff filed affidavit of Mr. Rishikesh Kumar in PE. Ld. Reader of this Court called Haneef Mohammad on his mobile No. 9818238292 who stated that he went to Kasganj as there was strike in Delhi Courts. However, Ld. Proxy Counsel for the defendant stated that Ld. Counsel has gone his native place in connection with some urgent work. This is a commercial suit. Such a approach to any case, more particularly, to a commercial suit cannot be appreciated. The plaintiff has also not filed affidavit of PW Umesh Verma, though his name mentioned in list of witnesses. There was a categorically direction *vide* order dated 13.08.2025 to file affidavits of witnesses within two weeks with advance copy to Ld. Counsel for the defendants. Accordingly, cost of Rs. 3,000/- is imposed upon the plaintiff for non-filing / supply of affidavit of PW Umesh Verma and cost of Rs. 3000/- imposed upon the defendant for unnecessary adjournment of the case. The plaintiff shall file and supply advance copy of affidavit of PW Umesh Verma to Ld. Counsel for the defendant within one week from today. The Cost be deposited with DLSA, Shahdara. The defendant shall also file list of witnesses along with affidavits with advance copy to the plaintiff within one week. To come up for PE as well as DE, on **16.09.2025**. The next date will be the last date of trial and otherwise, the case will be posted for judgement.

Sanjay Sharma-II
DJ (Commercial Court)-03
Shahdara, KKD, Delhi
30.08.2025