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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(OS) 186/1980, I.A. 1288/1990, 5025/1996, 2061/1997,
13225/2000, 7217/2002, 12339/2018, 12670/2018, 7272/2019,

TARUN KUMAR

..... Plaintiff

Through: Mr. K. K. Bhuchar, Adv. with
Plaintiff.

versus

AJAY KUMAR

..... Defendant

Through: Ms. Neha Tandon Phookar, Adv. for
D-2.
Mr. Rakesh Saini, Adv. for D-3 & 4.
Mr. Rajiv Bahl, Adv. for D-8.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **24.05.2019**

**I.A. 5892/2019 (application under Order 26 Rule 1 & 2& 4A r/w
Section 151 CPC.)**

1. By way of this application, Defendant No.3 seeks to examine Mr. Vijay/Defendant No.3 on commission at his residence at 13-A, Amrita Shergil, New Delhi. In support of the application, the applicant has annexed medical certificate dated 27th March, 2019. Learned counsel for the Plaintiff strongly opposes the application and states that the said certificate is false and the applicant is in a position to travel and be examined before the Court.

2. Having regard to the facts and circumstances, it is considered appropriate to have Defendant No.3 to be examined by a government hospital, Jalandhar. The hospital shall certify whether the Defendant No.3 would in a

position to travel to the Court for the purpose of recording his evidence. Let the same be done within two weeks from today.

3. List on 7th August, 2019.

SANJEEV NARULA, J

MAY 24, 2019

Pallavi