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

+ **CS(OS) 186/1980**

TARUN KUMAR & ORS

..... Plaintiffs

Through: Mr K. K. Bhuchar, Adv

versus

AJAY KUMAR & ORS

..... Defendants

Through: Ms. Malavika Rajkotia with Ms. Ekta
Sharma, Adv for D3.

Mr. Rajiv Bahl, Adv for two LR's of
deceased D-8.

CORAM:

MS. VANDANA JAIN (DHJS) JOINT REGISTRAR(JUDICIAL)

ORDER

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06.01.2022

[Virtual Court Hearing]

Affidavit of evidence of defendant No.3's witness not filed. On the last date of hearing, four weeks time was granted to defendant No.3 to file affidavit of evidence as last and final opportunity.

Learned counsel for defendant No.3 submits that witness is under isolation therefore, evidence affidavit could not be filed. No explanation has been given for non filing of affidavit of evidence within the stipulated time period as directed on the last date of hearing. The witness is stated to be under isolation at present and not during the time when the opportunity was given to file the affidavit of evidence.



In the interest of justice, once again last opportunity is granted to defendant No.3 to file affidavit of evidence within four weeks with advance copy to opposite side, subject to cost of Rs 5,000/- to be paid to plaintiffs.

Put up for DE on 05.04.2022.

VANDANA JAIN (DHJS)
JOINT REGISTRAR(JUDICIAL)

JANUARY 6, 2022
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