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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 568/2016**
M/S SUNAIR HOTELS LTD.

..... Plaintiff

Through: Mr. Hemant Gupta, Adv. (mobile no.
9891265248)

versus

M/S METROPOLITAN HOTEL

..... Defendant

Through: Mr. Vikas Aggarwal, Adv. (mobile no.
9873057030)

CORAM:
SH. RAKESH KUMAR (DHJS), JOINT REGISTRAR
(JUDICIAL)

ORDER
% **09.04.2019**

IA no. 5170/2019 (application under 151 CPC on behalf of defendant)

Notice accepted by counsel for plaintiff.

Without prejudice to the rights and contention, learned counsel for plaintiff submitted that he is ready to supply the copy of amended plaint along with application u/O 6 R 17 CPC through which amendment has been allowed. Accordingly copy of amended plaint and applications supplied to learned counsel for defendant.

Registry to report qua the prayer seeking direction to the place on record the amended plaint subject to filing of affidavit of learned



counsel in support of the contention made in para no. 7 of the application.

Put up for further proceedings on the next date of hearing.

CS(COMM) 568/2016

No DW present, produced or summoned. Even evidence by way of affidavit/AR of the defendant not filed in accordance with the previous directions.

Heard. Perused.

On perusal it reveals that there is no list of witnesses on behalf of defendant.

On being enquired about the filing of list of witnesses, learned counsel for defendant request to give some time for filing list of witnesses which is strongly opposed by learned counsel for plaintiff. The defendant may file list of witnesses along with appropriate application with advance copy to plaintiff subject to filing of evidence of all the defendants in terms of previous order.

Defendant to lead evidence in terms of previous orders.

Put up for DE on 16.05.2019.

RAKESH KUMAR (DHJS)
JOINT REGISTRAR (JUDICIAL)

APRIL 09, 2019
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