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

+ **CS(COMM) 156/2017**

ZENNER INTERNATIONAL GMBH & CO KG AND ANR

.....Plaintiffs

Through: Mr. Abhimanyu Mahajan, Mr. Saurabh Seth, Ms. Anubha Goel, Ms. Neelampreet Kaur, Mr. Mayank Joshi, Mr. Abhiroop Rathore, Mr. Kabir Dev and Mr. Sukhvir Singh, Advocates.

versus

ANAND ZENNER COMPANY PVT LTDDefendant

Through: Mr. Kunal Dutt, Advocate.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **02.07.2026**

I.A. 16576/2026 (u/Rules 11 and 13 of Electronic Evidence and Video Conferencing Rules, 2025 r/w Section 151 CPC)

1. This application is filed on behalf of the Plaintiffs for recording of evidence of Plaintiffs' witness through video conferencing.
2. Issue notice.
3. Mr. Kunal Dutt, learned counsel accepts notice on behalf of the Defendant and on instructions, submits that Defendant has no objection to the application being allowed.
4. It is stated in the application that Plaintiffs' witness PW-4, Axel Goritz is a resident of Germany and is unable to travel to India for evidence on 15.07.2026. The witness has already filed his evidence in chief and the affidavit has to be tendered and PW-4 has to be cross-examined and it would



be in the interest of justice as also to avoid expenses of travel and delay in proceedings if the evidence of PW-4 is permitted to be recorded from Germany through video conferencing as per Rule 9(4)(1) and Rule 11(2) of the Electronic Evidence and Video Conferencing Rules, 2025 ('2025 Rules').

5. For the reasons stated in the application, the same is allowed. PW-4 is permitted to lead evidence through video conferencing from Germany. The Consulate General of India at Frankfurt is requested to nominate an official of the Embassy as the Remote Point Coordinator for recording of evidence of PW-4. Plaintiffs shall transmit complete and legible set of documents and exhibits proposed to be put to PW-4, to the Remote Point Coordinator and an additional set will be filed in Court so that documents can be shown to the witness during the proceedings. The Remote Point Coordinator shall verify the identity of PW-4 and thereafter administer oath/affirmation to him in accordance with the Oaths Act, 1969 and will ensure that no person is present in the room with the witness so that the witness is not aided, prompted or tutored during recording of his evidence. The learned Joint Registrar, who is currently recording the evidence, is appointed as the Coordinator at the Court point.

6. The expenses for the venue and recording of evidence including any charges levied by the Consulate General of India shall be borne by the Plaintiffs, as undertaken and will ensure that all necessary arrangements are made at the remote point. Given the difference in the time zones between India and Germany, it will be the responsibility of the learned Joint Registrar, in consultation with the nominated official of the Consulate General of India to fix the timing for recording of evidence on 15.07.2026.



7. It is directed that copy of this order shall be forwarded to the Consulate General of India, Frankfurt to enable them to take necessary steps in the matter along with the copy of 2025 Rules. The evidence shall be conducted strictly in accordance with the Rules and the proceedings will be conducted on a secured, end to end encrypted video conferencing platform. If any other modality remains to be complied with as per the Rules, the needful shall be done by the learned Joint Registrar for which cooperation will be rendered by the parties.

8. Copy of this order shall be sent by counsel for the Plaintiffs to the Ministry of External Affairs, Government of India for its compliance. Ministry shall take steps to aid the process of appointment of Remote Point Coordinator so that the evidence can be recorded without any hindrance or obstruction.

9. Application is allowed and disposed of in the aforesaid terms.

JYOTI SINGH, J

JULY 2, 2026
S.Sharma