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

+ CS(COMM) 281/2020

MS KHURMI ASSOCIATES P LTD

.....Plaintiff

Through: Ms. Roshni Namboodiry, Adv.

versus

MAHARISHI DAYANAND CO-OPERATIVE GROUP HOUSING
SOCIETY

.....Defendant

Through: Mr. Ashish Mohan Sr. Adv. Mr.
Akshit Mago, Adv.

(Evidence recorded from 02.20 PM to 04.10 PM) – 8 pages

CORAM:

JOINT REGISTRAR (JUDICIAL) MS. TYAGITA SINGH, (DHJS)

ORDER

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17.03.2025

Matter is taken up through physical hearing as well as video conferencing.

Ld. Counsel for plaintiff has stated that two additional documents i.e. Reply dated 16.06.2020 to the legal notice and the Register of receipt of drawings, signed by the defendant's representative, were e-filed with permission of the Court and the said original documents were filed physically with the filing branch but they are not traceable in the judicial file.

The concerned dealing clerk has been called and he has informed that the concerned official at filing counter has checked the record and informed that the abovesaid original documents are not there in the filing counter. The concerned dealing clerk has further stated that there is no file noting qua the filing of hard copies / original of the abovesaid documents.

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Keeping in view the abovestated facts and circumstances, the hard copies of abovesaid documents are taken on record today and exhibited / marked in the examination-in-chief of PW-1. Ld. Counsel for plaintiff may verify with the Registry and trace the original of the abovesaid documents and place the same on record before the next date of hearing.

Original signed affidavit of evidence of PW-1 is taken on record, soft copy of which has already been e-filed. PW-1 Sh. Harpreet Singh Khurmi has tendered affidavit of evidence as Ex. PW1/A and relied upon the already exhibited documents Ex. P-1 to Ex. P-100 and exhibited documents from Ex. PW1/1 to Ex. PW1/7. He has been partly cross-examined but his further cross-examination is deferred due to paucity of time. Uncertified copy of the evidence has been supplied to the parties free of cost.

Be fixed for further cross-examination of PW-1 on the date already fixed i.e. 21.03.2025.

**TYAGITA SINGH, (DHJS),
JOINT REGISTRAR (JUDICIAL)**

MARCH 17, 2025/sm