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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 663/2007**
SMT. MADHU MALLA & ORS. Plaintiff

Through: appearance not given

versus

SHRI BHUMESH MOHAN MALLA & ORS. B+ Defendant
Through: Mr Jitender Kumar, Adv

CORAM:

SH. AJAY KUMAR KUCHAR (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% **17.04.2017**

DW2 Sh Bhumesh Mohan Malla is present for his cross examination.

Proxy counsel for the plaintiff informs that Sh Amit Kumar, Advocate is not available today as he is busy in Saket Court and adjournment is being sought for cross examination of DW2.

It pertinent to note that cost imposed on the last date of hearing for seeking an adjournment for cross examination of DW2 has not been paid so far. Despite this being last opportunity to the plaintiff to cross examine DW2 further adjournment is being sought. Although sufficient opportunities have been granted to cross examine DW2 and plaintiff has also not complied with the direction to pay the cost. In the interest of justice, one more opportunity is granted to plaintiff, subject to condition that plaintiff shall pay the previous cost of Rs 10,000/- as imposed on 06.02.2017 within a week time and further cost of Rs 5,000/- imposed payable to counsel for the

defendant within four weeks time.

It is made clear that no further opportunity shall be granted to the plaintiff, in case plaintiff fails to cross examine the said witness on the next, DW2 will stand discharged.

Renotify this matter on 24.07.2017 for further cross examination of DW2.

SH. AJAY KUMAR KUHAR (DHJS)
JOINT REGISTRAR (JUDICIAL)

APRIL 17, 2017
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