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

+ **CS(COMM) 382/2019**

ENCONCORE N.V.

.....Plaintiff

Through: Mr. Abhay Tandon, Adv.
(through VC)
(M- 9650164880)

versus

ANJANI TECHNOPLAST LTD. & ANR.

.....Defendant

Through: Mr. Digvijay Prasad, Adv.

CORAM:

**SIDHARTH MATHUR (DHJS), JOINT REGISTRAR
(JUDICIAL)**

ORDER

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03.02.2025

List the matter before the Hon'ble Court on the date already
fixed i.e. **24.04.2025**.

**IA No. 2769/2025 (By plaintiff u/o 16 Rule 1A & Rule 1(3) r/w
Section 151 CPC seeking leave to amend the plaintiff's list of
witnesses)**

Issue notice. Accepted.

The counsel for the defendants states that he has already
filed the reply, vide diary no. 775386/2025. The office noting in
respect thereof is however awaited. Its physical copy though has
been taken on record today with the consent of the opposing
counsel.

Arguments heard.

The plaintiff seeks to amend the list of witnesses by



incorporating the names of its two investigators (*i.e. Sanjiv Behal and Mohit Bhardwaj*), whose reports were already part of the suit. Its counsel states that the proposed testimonies of these investigators are both relevant as well as necessary for this suit.

Having perused the reply of the defendants, it transpires that they are objecting to this application on the ground that the plaintiff is trying to delay the trial by amending the list of witnesses after the lapse of reasonable time.

The record shows that no PW has been examined till date. Meaning thereby, the trial is yet to begin. The reports of the aforesaid investigators are already on record and within the knowledge of the defendants. I don't think that any prejudice would be caused to the defendants, if liberty is granted to the plaintiff to amend the list of witnesses in the manner proposed hereinabove. Accordingly the application is allowed. The affidavits of the aforesaid two investigators qua their evidence shall be filed within two weeks with advance copy to the opposing counsel.

**SIDHARTH MATHUR (DHJS)
JOINT REGISTRAR (JUDICIAL)**

FEBRUARY 3, 2025/jr

Click here to check corrigendum, if any