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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 404/2010

MADHU SHARMA (SINCE DECEASED) THR. L.RS.

AND OTHERSPlaintiffs

Through: Mr. Mahesh K. Chaudhary, Adv.
(joined through VC)

versus

SURESH KAUSHIK AND OTHERSDefendants

Through: Mr. Rohit Kumar Modi, Adv. for
D-1 to 4 & D-6
Mr. N. S. Dalal & Ms. Nidhi
Dalal, Advs. for D-5 & 5A

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

% **27.05.2025**

CS(OS) 404/2010

1. The matter is listed today for further cross-examination of PW-1. However, adjournment is sought by learned counsel for the plaintiff on the ground that the witness is not well today and that advance intimation in this regard has already been given to the opposite side. Adjournment request is opposed. In the interest of justice and subject to filing of medical certificate/documents of the witness, the matter stands adjourned today.

2. It is also noted with concern that the present matter is pending disposal since the year 2010 and still at the stage of cross-examination of the first witness of the plaintiff. Moreover, as per the List of Witnesses filed by the plaintiff, the plaintiff wants to examine three private witnesses and 14 official witnesses. Chapter XI Rule 17(b) of Delhi High Court (Original Side) Rules clearly provides that the court of Registrar shall not issue summons for



production of public documents unless he consider the production of original documents is necessary and is satisfied that an application for supplying of certified copy of document has been duly made and not been granted. So, learned counsel for the plaintiff is directed to comply the aforesaid provisions strictly for the documents sought to be summoned from the 14 official witnesses and Certified copy of the requisite records be filed within six weeks with copy to the opposite side.

3. Moreover, the plaintiff has not filed Evidence Affidavit of other private witnesses i.e. plaintiff no.2 and Sh. Jaideep Girdhar. So, the plaintiff is directed to file Evidence Affidavit (soft copy as well as physical copy) of both the witnesses within eight weeks with copy to the opposite side.

4. Further, no adjournment shall be granted to the party in the future unless absolutely necessary. The adverse order shall be followed without giving further opportunity to the party in case unnecessary adjournment request.

Re-notify the matter for PE on 04.09.2025.

**PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MAY 27, 2025/ab

[Click here to check corrigendum, if any](#)