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

+ **CS(OS) 52/2016 & CC 68/2016**

VFS GLOBAL SERVICES PRIVATE LIMITED Plaintiff

Through: Mr. Raghavendra Mohan Bajaj,
Ms. Shagun Agarwal, Advocates
(Enrolment No. D/9695/2022,
Mobile No. 9810248083).

versus

SOUTH DELHI MUNICIPAL CORPORATION Defendant

Through: Mr. Sanjay Poddar, Senior
Advocate with Mr. Vipul Ganda,
AC and Mr. Govind Kumar, Mr.
Sachin Bhatt, Ms. Guresha
Bhamra, Ms. Abhipsa Mohanty
and Ms. Amodini Raina,
Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **01.02.2023**

1. Issues in this suit were framed on 16.11.2022 and directions were given for affidavit of evidence to be filed by the plaintiff within a period of twelve weeks. An application for correction of the issues (I.A. 20314/2022) was, thereafter, filed by the plaintiff which has been disposed of on 09.12.2022. The issues upon which the trial will be conducted are thus, evident from a combined reading of these two orders.
2. At the request of Mr. Raghavendra Mohan Bajaj, learned counsel for the plaintiff, further time of five weeks from today is granted for filing



of the affidavits of evidence, in view of the fact that the issues were finally settled only by order dated 09.12.2022.

3. By order dated 16.11.2022, Mr. Bajaj was also requested to take instructions as to whether the plaintiff is agreeable to evidence being recorded by a Local Commissioner [“LC”]. He states that his instructions at this stage are to seek recording of evidence before the Joint Registrar.

4. It is undisputed that the parties have filed voluminous documents. In the electronic file of the Court, the documents filed by the plaintiff run into 13 volumes and those filed by the defendant run into 8 volumes. The joint schedule of documents filed by the learned counsel for the parties also run into 116 pages.

5. Considering the case load of the Joint Registrar, I am *prima facie* of the view that appointment of an LC for recording of evidence in terms of Chapter XII of the Delhi High Court (Original Side) Rules, 2018 would be appropriate in the interest of expeditious disposal of the suit. At the request of Mr. Bajaj, a further opportunity is granted to take instructions on this aspect.

6. List on 11.04.2023.

PRATEEK JALAN, J

FEBRUARY 1, 2023

‘vp’/