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

+ **CS(COMM) 697/2022**

TTK PRESTIGE LTD

.....Plaintiff

Through: Mr. Hemant Singh, Ms. Mamta Rani Jha, Mr. Manish Kumar Mishra and Ms. Akansha Singh, Adv.

versus

KCM APPLIANCES PRIVATE LIMITED

.....Defendant

Through: Mr. Jayant Bhushan, Sr. Adv. with Mr. Vindhya S. Mani, Mr. Bhuvan Malhotra and Mr. Tushar Bhushan, Adv.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

28.05.2025

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I.A. 13896/2025-To allow the present application and reject the Evidence Affidavit of DW-2

1. By virtue of the present application, the plaintiff seeks to reject the affidavit of evidence of DW-2, namely, Haroon Rasheed Nagori as also to strike off paragraph nos. 2, 9 to 19, 21 and 29 of the aforesaid affidavit.
2. At the outset, learned senior Counsel for the defendant drawing the attention of this Court to the order dated 28.04.2025 wherein it is recorded before the learned Court Commissioner that the learned counsel for the plaintiff has already commenced with the cross-examination of DW-2, submits that the present application is *per se* not maintainable.
3. At this stage, learned counsel for the plaintiff disputing the same,



seeks liberty to address further arguments.

4. Accordingly, renotify on 23.07.2025.

MAY 28, 2025/bh

SAURABH BANERJEE, J