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

+ TEST.CAS. 16/2008

COL. SURESH CHAND & ANR.

..... Petitioner

Through: Mrs. Mala Goel, Adv. for P-1
Ms. Sumati Anand, Adv. for P-2

versus

STATE & ANR.

..... Respondent

Through: Ms. Mahima Bahl, Adv. for LR's of
R-2

CORAM:

**SH. VIJAY SHANKAR (DHJS), JOINT REGISTRAR
(JUDICIAL)**

ORDER

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24.07.2019

No witness of the respondent no.2 is present.

It is submitted by counsel for the respondent no.2 that inadvertently, steps for service of the summoned witnesses could not be taken by the respondent no.2 and time be granted for taking steps for summoning the witnesses. Heard. Opposed. No reasonable explanation has been furnished counsel for the respondent no.2 for not taking steps for summoning the witnesses. In view of the conduct of the respondent no.2, a cost of Rs.5,000/- is imposed upon the respondent no.2 to be deposited with Army Welfare Fund Battle Casualties. Receipt of cost be furnished before the next date of

hearing.

It is submitted by counsel for the respondent no.2 that she will take appropriate steps for summoning the witnesses in terms of the order dated 26/02/2019 passed by the Hon'ble Court.

It is further submitted by counsel for the respondent no.2 that due to shortage of time, it is not possible to summon the witnesses for the date already fixed i.e., 26/07/2019 and the date of 26/07/2019 be cancelled. Heard. Not opposed. In view of the same, date already fixed for 26/07/2019 stands cancelled.

At joint request, re-notify the matter for respondents' evidence on **13th & 14th November, 2019.**

VIJAY SHANKAR (DHJS)
JOINT REGISTRAR (JUDICIAL)

JULY 24, 2019*/nk*