

\$~3

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

+ **CS(COMM) 377/2018**

PANICKERS TRAVEL INDIA PVT LTD

..... Plaintiff

Through: Mr. Manish Singhal, Adv.

versus

**CHENNAI PANICKERS TOURS AND TRAVELS PVT LTD &
ANR**

..... Defendant

Through: Mr. K.V. Balakrishnan & Mr. Rahul
Kumar Sharma, Advocates.

CORAM:

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

ORDER

%

11.02.2019

**I.A.No. 4811/2018 under Order 16 Rule 1 (3) & 6 r/w Section 151 CPC
filed on behalf of plaintiff for summoning of an additional witness to
produce documents**

It is submitted by counsel for the plaintiff that by way of present application, the plaintiff is seeking permission to file the list of additional witness and to summon the witness along with record as mentioned in the application. It is further submitted by counsel for the plaintiff that in the present case, evidence is being recorded by the learned Local Commissioner and the next date of hearing before the learned Local Commissioner is 22/04/2019.

It is submitted by counsel for the defendant that no sufficient ground has been mentioned by the plaintiff in the aforesaid application for not filing the list of additional witness, at the appropriate stage and the aforesaid application of the plaintiff be dismissed subject to heavy cost.

Arguments heard on the aforesaid application of the plaintiff. Perused the material available on record. Considering the facts, circumstances and in view of the submissions made, aforesaid application of the plaintiff is allowed subject to cost of Rs. 10,000/- to be deposited with Army Welfare Battle Casualties Fund. Receipt of cost be furnished before the next date of hearing. Let the witness, as mentioned in the aforesaid application, be summoned on filing of PF and deposit of diet money, returnable before the learned Local Commissioner for 22/04/2019. Steps for service be taken within a week. Requisite details of the learned Local Commissioner be mentioned in the PF form.

IA stands disposed of.

VIJAY SHANKAR (DHJS)
JOINT REGISTRAR (JUDICIAL)

FEBRUARY 11, 2019/nk