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

+ **CS(COMM) 118/2016 with CC(COMM) 2/2018**

MOBILE TELESYSTEMS PJSC & ANR Plaintiffs

Through: Mr. Akhil Sibal, Sr. Advocate with
Mr. Aasish Somasi, Mr. Imon Roy,
Ms. Shriya Misra, Advocates.

versus

MAHESH BHATTI & ORS Defendants

Through: Mr. Rajat Aneja, Advocate with
Mr. Abhishek Kumar, Ms. Jia
Kapur, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **27.09.2019**

I.A. 12071/2019 (Application under Section 45 of the Indian Evidence Act, 1872)

1. This is an application by the plaintiff for amendment of the list of witnesses. The plaintiff seeks to produce a witness to testify to the translation of certain documents, which are originally in Russian.
2. Mr. Akhil Sibal, learned Senior Counsel for the plaintiff, states that the documents in respect of which the witness will give evidence are confined to the documents which have already been disclosed by the plaintiff.
3. In these circumstances, Mr. Rajat Aneja, learned counsel for the defendants, has no objection to the list of witnesses being amended, without prejudice to the rights of the defendants to challenge the veracity of the translation.

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4. Consequently, the application is allowed, and the amended list of witnesses annexed to the application is taken on record.

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1. Mr. Akhil Sibal states that, of the amended list of witnesses, the plaintiff intends to lead the evidence of only Mr. Rajat Prakash and Mr. Abhishek Ranjan. The examination-in-chief of Mr. Rajat Prakash has already been recorded before the Local Commissioner, and his cross-examination is now fixed for 01.10.2019.
2. The affidavit by way of evidence of Mr. Abhishek Ranjan be filed within one week.
3. The time for recording of evidence before the Local Commissioner is extended until 30.03.2020.
4. Counsel for the parties anticipate that the evidence of the plaintiff will be concluded within the next four months. In the meantime, if the cross-examination of the plaintiffs' witnesses is concluded, the Local Commissioner may give directions for filing of affidavits of evidence on behalf of the defendants.
5. List for monitoring of evidence on 17.03.2020.

PRATEEK JALAN, J

SEPTEMBER 27, 2019

j/s

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