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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(COMM) 847/2022

MR. M.K. SRINIVASAN & ANR.

.....Plaintiff

Through: Ms. Yogita Rathore and Ms.
Urvika Aggarwal, Advs.

versus

MR. MAGESH JAYARAMAN & ORS.

.....Defendants

Through: Mr. Tahir A. J, Adv for D-1
& 2.
Mr. Pranav Malhotra, Adv
for D-3 (VC).

CORAM:

JOINT REGISTRAR (JUDICIAL) MS. SWATI KATIYAR

ORDER

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24.04.2026

Fresh I.A. No. 11393/2026 on behalf of the plaintiffs seeking liberty for filing an additional affidavit of evidence of pw-1, on the issue of damages/rendition of accounts basis the sales figures disclosed by the defendants.

1. Issue notice. Ld. Counsels for defendants accept notice and seeks some time to file reply. Reply, if any be filed within three weeks with advance copy to the plaintiff and thereafter rejoinder, if any be filed within further two weeks.
2. Put up for completion of pleadings.

CS(COMM) 847/2022.

3. Matter is listed for evaluation of recording of evidence before Ld. Local Commissioner.
4. Ld. Counsel for defendant no.1 and 2 submits that despite repeated requests made to Ld. Counsel for plaintiff, they have not fixed the dates for recording of cross-examination of PW-2 before



Ld. Local Commissioner. Ld. Counsel for defendant no.3 also makes similar submissions and states that Ld. Counsel for plaintiff may be directed to fix dates for cross-examination of PW-2.

5. Ld. Counsel for the plaintiff submits that the dates for cross-examination have not been fixed in view of the fresh application bearing IA No.11393/2026 which is listed today. It is further submitted by Ld. Counsel for plaintiff that cross-examination of PW-1 is still pending and PW1 has not been discharged till date. It is submitted that the dates for cross-examination of PW-2 shall be fixed after disposal of IA No.11393/2026.

6. Ld. counsel for defendant no.1 and 2 submits that the evidence of PW1 has already been concluded on 18.03.2026 on behalf of all the defendants and hence, now PW-2 is to be cross-examined. Ld. Counsel for defendant no.3 submits that even otherwise, PW-2 is an expert witness and he has nothing to do with damages claimed by plaintiff. Hence, there is no impediment in cross-examination of PW-2. Ld. Counsels for the defendants submit that the plaintiff is unnecessarily delaying the matter and the matter be placed before the Hon'ble Court as they wish to make further submissions before the Hon'ble Court. Ld. Counsel for plaintiff submits that the matter may be placed before the Hon'ble Court for further directions.

7. In view of the submissions made by Ld. Counsels for the parties, let matter be placed before the Hon'ble Court on 28.04.2026 for further directions.

**MS. SWATI KATIYAR,
JOINT REGISTRAR (JUDICIAL)**

APRIL 24, 2026/bk