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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 625/2010, I.A.10727/2018, I.A.1377/2019, I.A.2360/2019**
M/S YAHOO EXPORTS PVT LTD

..... Plaintiff

Through: Mr. Mehul Gupta, Advocate through
video conferencing.

versus

MANJIT KAUR & ORS

..... Defendant

Through: None.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **02.08.2022**

I.A.2939/2020 (For recalling the Order)

1. An application under Section 151 CPC has been filed on behalf of the defendant (in J.C) Darshan Singh to recall the order dated 06th December, 2019 and defer the further cross-examination of PW2 till the receipt of the Expert Opinion which was allowed in I.A.1377/2019 and I.A of Diary No.666003 dated 22nd July, 2019 of defendant.
2. It is submitted in the application that vide order dated 19th December, 2018, I.A.2796/2018 filed on behalf of defendant No.2 for sending the Agreement dated 07th February, 2008 to CFSL was allowed with the directions that the Joint Registrar shall send the Agreement dated 07th February, 2008 along with the documents having admitted signatures of the parties to CFSL, Lodhi Road for its opinion if the signatures on the



Agreement are genuine.

3. Subsequently, in compliance of the Order learned Joint Registrar made several efforts to get the documents which had admitted the signatures, but vide order dated 24th April, 2019 the learned Joint Registrar stated that despite repeated directions to produce the original documents having admitted signatures for compliance of the Order of this Court to send the document to CFSL, the defendants not have co-operated.

4. Thereafter, this Court vide order dated 06th December, 2019 observed that PW2 is under cross-examination and the matter was directed to be listed before the Registry for completion of evidence. Aggrieved by the said Order the present application has been filed by defendant No.1.

5. None is present on behalf of defendant Darshan Singh.

6. It may, however, be noted that sending of the Agreement to CFSL for ascertaining the genuineness of the signatures is not in any manner connected to the cross-examination of PW2. Therefore, this application under Section 151 CPC is kept pending and the matter be listed before the Joint Registrar for continuing with the evidence of the parties on 27th October, 2022, the date already fixed.

NEENA BANSAL KRISHNA, J

AUGUST 2, 2022

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