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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 2170/2006**
KUMARI SEHEJ GUPTA & ANR. Plaintiff
Through Mr. Ankit Gyan, proxy cl.
versus
SHRI M.L. GUPTA & ORS. B+ Defendant
Through Mr. Shubhankar Sen, Adv.

CORAM:

ASHUTOSH KUMAR (DHJS), JOINT REGISTRAR
(JUDICIAL)

ORDER

% **03.10.2015**

I.A. No.20971/2015 under Section 151 CPC moved on behalf of
plaintiffs for adjournment.

By means of present application, plaintiffs seek adjournment on the ground that PW1 has been advised for bed rest for seven days w.e.f. 30.09.2015 to 07.10.2015. The application has been strongly opposed by learned counsel for defendants, who has drawn my attention towards the various previous orders to argue strongly that despite being given repeated opportunities, no evidence has been lead by the plaintiffs till date and that the plaintiffs are indulging in delaying tactics. There is some force in the said arguments.

However in the interest of justice, in view of reasons mentioned in the application and in order to do substantive justice between the parties, matter is adjourned and last and final opportunity is granted to the plaintiffs. However this would be subject to payment of cost of Rs.10,000/- by the plaintiffs to the defendants (proportionately), for causing delay.

IA is accordingly disposed of.

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No PW is present. Learned proxy counsel for plaintiffs has submitted that inadvertently the receipt regarding payment of cost of Rs.8000/- was not filed in the Registry and that the same alongwith receipt for cost of Rs.5000/- imposed, on last date of hearing, shall be filed on record within one week.

Plaintiffs shall file affidavits of evidence of her witnesses within six weeks with advance copy to defendant.

Re-notify the matter for plaintiffs's evidence, on 06.02.2016 at 11.00 a.m.

**ASHUTOSH KUMAR (DHJS)
JOINT REGISTRAR (JUDICIAL)**

OCTOBER 03, 2015/ab