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

+ **TEST.CAS. 2/2006**

BHARAT BHUSHAN GUPTA Petitioner

Through: Mr. Irfan Ahmed, Adv.

versus

STATE AND ORS Respondents

Through: Mr. Sanjib Dutta, Adv. for R-2 and
LRs of R-3.

**SH. ASHISH AGGARWAL (DHJS), JOINT REGISTRAR
(JUDICIAL)**

ORDER

% **06.04.2021**

The case is at the stage of examination of OW1. Learned counsel for respondent no.2 and legal representatives of deceased respondent no.3 prays for adjournment. He submits that the witness namely Sh. Vinod Kumar Gupta is unable to appear today as he is a senior citizen and he wants to avoid appearance due to the Covid Pandemic. Learned counsel for petitioner has strongly objected to the request for adjournment. He submits that currently there is no exemption for the parties from appearing in court and also no advance information was given to him that the witness would not appear today. He submits that he came to the court prepared for cross-examination and it is only now that it has been informed that the witness will not be appearing. He points out the order dated 10.09.2015 in which it has been recorded that the petition is being delayed due to the witnesses of the respondents not being produced.



Having regard to the aforesaid and considering the age of the witness, the request for adjournment is allowed, albeit subject to payment of costs of Rs.5,000/- to be paid by respondent no.2 to the petitioner on the next date of hearing.

Renotify on **13.09.2021** for recording of evidence of OW1.

(ASHISH AGGARWAL)
JOINT REGISTRAR (JUDICIAL)

APRIL 06, 2021/cl