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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 689/2009**
M/S BUILD MORE INDIA LTD.

..... Plaintiff

Through: Mr. A.K. Sengupta and Mr. Suraj
Prakash, Advocates.

versus

M/S PRITHVI TRADERS LTD & ANR

..... Defendant

Through: Mr. R.V.Sinha and Mr.A.S.Sinha,
Advocates for D-2.

CORAM:

SH. AMIT KUMAR (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% 03.02.2017

Matter is listed for defendant's evidence. No witness is present.

It is stated that out of two witnesses, whose affidavits are on record, Shri A.B.Chaudhary (DW3) has since died and the other witness Shri S.S. Yadav has since retired.

Defendant has to take steps for ensuring his presence on the next date.

Sometime also sought to pay the previous cost of Rs. 5000/- as it is stated that counsel was not aware of any such direction.

Though it was the last opportunity for the defendant to conclude their evidence for today yet considering the fact that one of the witness has died and one has retired, defendant is given another last opportunity to examine their witness and also to pay the cost on the next date.

Put up for defendant's evidence as another last opportunity for **26th**
April, 2016.

AMIT KUMAR (DHJS)
JOINT REGISTRAR (JUDICIAL)

FEBRUARY 03, 2017/nk