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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 1628/2010

PRADEEP GODHWANI

..... Plaintiff

Through None

versus

PARTHO ROY CHOWDHRY & ANOTHER

..... Defendants

Through

Ms. Anubha Singh Adv. for D-1

Mr. S.K.Bhandari with Ms. Vandana
Advs. for D-2

CORAM:

**SANJEEV AGGARWAL (DHJS), JOINT REGISTRAR
(JUDICIAL)**

ORDER

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14.09.2017

CS(OS) 1628/2010

Learned counsel for plaintiff, as reflected in the order sheet dated 15.07.2016 of the Hon'ble Court had stated that he does not propose to file an affidavit by way of admission/denial as the defendant has not filed any original documents, which can be put to the plaintiff.

Vide last order, defendant no.1 was directed to file his affidavit qua admission/denial of documents of plaintiff, but the same has not been done despite expiry of two weeks time. It is stated by learned counsel for defendant no.1 that defendant no.1 is a resident of USA due to which the affidavit could not be filed. This is no excuse. For rendering today's date infructuous, defendant no.1 is burdened with

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costs of Rs. 5,000/- with last opportunity to file the said affidavit within further period of two weeks time.

Affidavit regarding admission/denial of documents of plaintiffs has already been filed by defendant no.2.

Re-notify for admission/denial of documents and marking of exhibits on 01.12.2017, subject to further directions by the Hon'ble Court on the date already fixed there i.e. 22.09.2017.

**SANJEEV AGGARWAL (DHJS)
JOINT REGISTRAR (JUDICIAL)**

At 12.00 pm

At this stage, Mr. Jagdev Singh, learned counsel for plaintiff has appeared and has been apprised about today's proceedings and next date of hearing.

**SANJEEV AGGARWAL (DHJS)
JOINT REGISTRAR (JUDICIAL)**

SEPTEMBER 14, 2017/cd