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

+ CS(COMM) 845/2018

M/S HIGHWAY SERVICE STATIONPlaintiff

Through: Mr. Naveen Kumar Chaudhary, Mr.
Harshit Chaudhary, Adv. alongwith PW-1

versus

BHARAT PETROLEUM CORPORATION LTD. & ANR

.....Defendant

Through: Mr. Hemant Gupta, Ms. Himani Aggawal,
Adv. for D-2 alongwith AR Mr. Manoj
Bansal.

CORAM:

JOINT REGISTRAR (JUDICIAL) MS. TYAGITA SINGH, (DHJS)

ORDER

% **02.12.2024**

Matter is taken up through physical hearing as well as video conferencing.

The case is fixed for further cross-examination of PW-1 Mr. Janardhan Rai by Ld. Counsel for defendant no.2 but Ld. Counsel for defendant no.2 has stated that he cannot cross-examine the witness today as his entire notes prepared for cross-examination of the witness have been destroyed and the case file has also been spoiled due to flood water which entered his old office in June 2024 and now he has shifted office and he will reconstruct the file and cross-examine the witness on next date of hearing.

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Ld. Counsel for defendant no.2 has further requested that Local Commissioner may be appointed for further cross-examination of PW-1 and remaining evidence. Ld. Counsel for plaintiff has stated that he has no objection to the appointment of Local Commissioner if the cost of Ld. Local Commissioner is borne by defendant no.2 and cross-examination is recorded at the ground floor of any premises, due to the age factor and mobility of the witness.

Ld. Counsel for defendant no.2 may move appropriate application for appointment of Ld. Local Commissioner within two weeks, failing which evidence will proceed further on the next date of hearing.

At request of witness, **the already fixed date i.e. 16.12.2024 is cancelled.** Be fixed for further cross-examination of PW-1 on 19.03.2025 with connected case CS(COMM) 277/2016.

**TYAGITA SINGH, (DHJS),
JOINT REGISTRAR (JUDICIAL)**

DECEMBER 2, 2024/sm