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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CS(OS) 346/2016**  
**SH AJIT GOGNA** ..... Plaintiff

Through: Mr. Sunil Lalvani, Adv.

Versus

**SH JITENDER GOGNA & ORS** ..... Defendants

Through: Mr. Siddharth Aggarwal, Adv. for  
D-1  
Mr. Sanjeev Sahay, Adv. for D-2

**CORAM:**  
**JOINT REGISTRAR (JUDICIAL) MS. PRIYA MAHENDRA,**  
**(DHJS)**

**ORDER**  
% **13.09.2022**  
**CS(OS) 346/2016**

The matter is listed for DE. As per record, defendant no.1 has not taken steps for summoning of witnesses. It is stated by learned counsel for defendant no.1 that he was down with viral fever in the months of July, 2022 and August, 2022 as well and hence, he could not take steps for summoning of the witnesses and seeks one more opportunity for the same.

Adjournment request is vehemently opposed by learned counsel for defendant no.2, who submits that defendant no.1 is intentionally delaying trial of the present matter as he is in possession of the suit property.

Heard. In the interest of justice, no adverse order is being passed today and last and final opportunity is granted to defendant



no.1 for taking steps qua summoning of witnesses within a week.

Re-notify the matter for DE on 04.11.2022. It is clarified that no further opportunity shall be granted to defendant no.1 for leading DE on the next date on any ground whatsoever.

**SEPTEMBER 13, 2022/ab**

**PRIYA MAHENDRA (DHJS)**  
**JOINT REGISTRAR (JUDICIAL)**

[Click here to check corrigendum, if any](#)