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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 219/2016

SMT PREM RANI @ PREM SAIM Plaintiff

Through: Mr. R. S. Chaggar & Mr. Aman
Sharma, Advs.

versus

SHRI ABDUL SALAM Defendant

Through: Mr. Mohd. Deen & Mr. Rahman
Ansari, Advs. with defendant in
person

CORAM:

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

ORDER

% **10.04.2023**

CS(OS) 219/2016

It is stated by learned counsel for the defendant that he has deposited previous cost of Rs.3000/- with Delhi High Court Legal Services Committee and has shown copy of cost receipt in the court today.

It is stated by learned counsel for the plaintiff that the cost was imposed upon the defendant on 09.02.2023, for not taking steps for summoning the witness. However, the defendant has again not taken steps to summon the witness for which cost was previously imposed upon the defendant. Learned counsel for the defendant submits that he has filed summoning application on 23.03.2023 vide diary no.558523/2023 but the same is lying under objections.

Learned counsel for the defendant seeks adjournment for today to take requisite steps. Strongly opposed by learned counsel for the plaintiff.

Vide order dated 09.02.2023, the defendant was granted the last and final opportunity to take requisite steps



for leading evidence. However, requisite application as stated was only filed on 23.03.2023, which is also lying under objections. So, no ground is made out to give further opportunity to the defendant for leading DE. However, solely, in the interest of justice and subject to imposition of cost of Rs.5000/- to be paid to the plaintiff by the defendant, one more last and final opportunity is granted to the defendant to take requisite steps within a week to bring said summoning application on record.

Re-notify the matter for DE on 14.08.2023.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)

APRIL 10, 2023/ab

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