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

+ **CS(OS) 289/2018**

DR. ASHWINI JAIN

.....Plaintiff

Through: Mr. B. Venkatraman, Adv. (Mob.
No. 9971291264).

versus

DR. LOKESH JAIN & ORS

.....Defendant

Through: Mr. Deepak Mittal & Mr. Varun
Maheshwari, Advs. for defendants
(Mob. No. 9868571116 & email:
kga.advocates@gmail.com)

CORAM:
JOINT REGISTRAR (JUDICIAL) SH. DEVENDER
KUMAR GARG (DHJS)

ORDER
20.12.2022

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1. As per office noting, nothing fresh has been filed.
2. Ld. Counsel for plaintiff seeks some more time for approaching Learned Local Commissioner for recording of the evidence.
3. The same has been strongly opposed by Ld. Counsel for defendant submitting that no witness has been examined before Learned Local Commissioner from 26.03.2020 as no steps have been taken by the plaintiff. He has further submitted that on the last date of hearing also, Ld. Counsel for plaintiff had submitted that he will contact Learned Local Commissioner in respect of recording of evidence, but even today, adjournment has been sought.
4. At this stage, Ld. Counsel for defendant has submitted that the matter may be placed before Hon'ble Court and



he will make his further submissions before the Hon'ble Court.

5. Heard. Perusal of the file would show that vide order dated 23.05.2019, matter was ordered to be placed before Learned Local Commissioner for recording of evidence on application of defendant. Vide order dated 03.03.2020 passed by Ld. Predecessor of undersigned, at joint request of parties, date of 26.03.2020 was fixed before Ld. Local Commissioner but no witness was examined before Ld. Local Commissioner. No step has been taken on behalf of the plaintiff for approaching Ld. Local Commissioner for recordal of evidence.
6. In the present facts and at request of Ld. Counsel for defendant, let the matter be placed before the Hon'ble Court for further directions on **07th February, 2023.**

DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)
DECEMBER 20, 2022/v
Click here to check corrigendum, if any