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

+TEST.CAS. 85/2011

JATINDER NATH BAJAJ

..... Petitioner

Through: Mr. Rakesh Kumar and
Mr. Sunil, Advs.

versus

STATE

..... Respondent

Through: Arun Vohra, Adv. for R-2
Mr. Mohit Gupta and
Aayushi Jain, Advs. for R-3

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. DEVENDER NAIN
(DHJS)**

ORDER
28.03.2023

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As per order sheet dated 31.10.2022, objection was taken by counsel for respondent no.2 regarding the number of witnesses mentioned in the list of witnesses and their relevance filed on behalf of petitioner. However today during the arguments on the said point, fresh/new objection is raised by counsel for respondent no.3 that fresh list of witnesses cannot be taken on record as earlier one list of witnesses was filed by the petitioner and for filing fresh list of witnesses, no permission has been taken by the petitioner from the Hon'ble court.

In reply to this, counsel for petitioner drawn attention of undersigned towards order dated 23.03.2022 and 17.05.2022. In order sheet dated 23.03.2022, it has been mentioned that list of witnesses filed by petitioner was under objection on the said date



and he was given opportunity to remove the objection and to bring the same on record and in order sheet dated 17.05.2022, it has been mentioned that list of witnesses filed by petitioner was still under objection on the said date and petitioner was given opportunity to re-file the copy of list of witnesses. However it is submitted by counsel for respondent no.3 that it is not the copy of list of witnesses, which was re-filed, however fresh list of witnesses filed.

Counsel appearing on behalf of all the parties are shifting their arguments from one point to another after the starting of arguments on the point mentioned in order sheet dated 31.10.2022.

In these circumstances, counsel for petitioner as well as both the respondents are given opportunity to raise their objection, on the point raised since order dated 31.10.2022, in writing so that all the objections can be taken together and decided accordingly. They may file appropriate application in this regard.

Considering the submission of all the parties, let the matter be put up for cross-examination of PW2 Jatinder Nath Bajaj on 09.08.2023.

**DEVENDER NAIN (DHJS),
JOINT REGISTRAR (JUDICIAL)**

MARCH 28, 2023/cd



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