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

+ **CS(COMM) 900/2018**

**MAHESH CHAUDHRI & ANR. .... Plaintiffs**

Through: Mr. Deepak Khadaria, Advocate.

versus

**IMV INDIA PVT. LTD. .... Defendant**

Through: Mr. Kishan Rawat and Mr. Rajan Narian, Advocates.

**CORAM:**

**HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA**

**ORDER**

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**15.03.2024**

**I.A. 6147/2024 (under Section 151 CPC on behalf of the plaintiffs for appropriate order/directions)**

1. The application under Section 151 CPC has been filed on behalf of the plaintiffs wherein it is submitted that the certain questions which have been put by the learned counsel for the plaintiffs in cross-examination to the witness, are being disallowed. Moreover certain documents which were on record, were not taken on record and the witness was evading answers in respect of those documents.

2. A prayer is, therefore, made that the learned Local Commissioner may be directed not to disallow any question put to the witness and to make other necessary directions.

3. Learned counsel for the defendant has opposed the application and has submitted that the witness, DW-1 has been examined on 17 dates, despite which the cross-examination is continuing. It is further submitted



that learned counsel for the plaintiffs, is not being permitted to put questions in respect of admitted documents.

4. **Submissions heard.**

5. After some arguments, learned counsel for the plaintiffs submits that he has no other additional documents to bring on record for consultation. All the relevant documents have already been placed on record. He states that he shall conclude his cross-examination within three dates.

6. It is expected that both the parties shall get the evidence recorded before the learned Local Commissioner in congenial atmosphere and any objection of either party which may be there, may be brought on record. The learned Local Commissioner may also record any objection being taken by either party, during the cross-examination. It is also directed that the parties shall not repeatedly insist that the matter be put up before this Court.

7. Be put up before the learned Local Commissioner for continuing with the recoding of evidence on 19.03.2024, the date already fixed.

**NEENA BANSAL KRISHNA, J**

**MARCH 15, 2024/RS**