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

+ **CS(OS) 2661/2012, I.A. 7456/2023**

VINOD KUMAR & ANR

..... Plaintiffs

Through: Mr. Arun Baali and Ms. Arisha
Ahmad, Advocates.

versus

AJIT SINGH

..... Defendant

Through: Mr. Ashok Kumar Soni and Ms. Zeba
Parveen, Advocates.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

20.03.2024

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1. A perusal of the record shows that *vide* Order dated 10.05.2018, the issues were framed in the present Suit and on the request of the plaintiffs, the evidence was directed to be recorded through the Local Commissioner, who is duly appointed. However till date, nothing has been done by the plaintiffs, for approaching the learned Local Commissioner for recording of the evidence. Despite specific directions to file the list of witnesses within 15 days and the affidavit of evidence of the witnesses within six weeks, apparently nothing has been done because no list of witnesses or affidavit of evidence have been found on record. It is evident that the plaintiffs are not interested in pursuing the matter and have failed to take any cogent steps in the present Suit in the last six years and today also, the learned counsel has no instructions and is seeking a pass-over. The final opportunity is given to the parties for concluding their evidence within six months, failing which



the adverse orders shall follow. The evidence of the plaintiffs be concluded within three months and the evidence of the defendants be concluded within three months thereafter. The parties shall appear before the learned Local Commissioner on 25.03.2024 for working out the Schedule of dates for recording of evidence.

2. The reply to the application under Order 7 Rule 11 CPC of the defendants, be filed within eight weeks.
3. Be listed before this Court on 26.09.2024.

NEENA BANSAL KRISHNA, J

MARCH 20, 2024/RS