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

+ CS(OS) 362/2018 with I.A. 12133/2023, I.A. 14543/2023 and O.A. 63/2023

VIJAY KUMAR OJHA

.....Plaintiff

Through: Mr. Abhimanyu Sharma, Advocate
with plaintiff in-person.

versus

SAMSUNG INDIA ELECTRONICS
PVT. LTD.

.....Defendant

Through: Mr. Neeraj Malhotra, Senior
Advocate with Mr. Sandeep Grover,
Mr. Tarang Agarwal, Ms. Aastha
Bansal & Mr. Nimish Kumar,
Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

10.09.2025

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O.A. 63/2023 (Chamber appeal on behalf of the defendant impugning the order dated 13th July 2023)

1. The present Chamber Appeal has been filed by the appellant/defendant, impugning the order passed by the Joint Registrar on 13th July, 2023, whereby the application filed by the plaintiff for summoning of witnesses, being I.A. 12483/2023, has been allowed and summons have been issued to the witnesses named in the said application.



2. The aforesaid impugned order was stayed by the predecessor Bench *vide* order dated 7th August, 2023.
3. Mr. Neeraj Malhotra, senior counsel appearing on behalf of the appellant/ defendant submits that the impugned order was passed without giving an opportunity to the defendant to file a response to the aforesaid application. He further contends that there was no requirement for all the aforesaid persons who were employees and ex-employees of the appellant/ defendant to be made as witnesses in the present suit.
4. Having heard the counsel for the parties, in my considered view, the impugned order could not have been passed without giving an opportunity to the defendant to file a response.
5. Therefore, without expressing any view on the merits of the case, the impugned order dated 13th July, 2023 is set aside.
6. Consequently, I.A. 12483/2023 stands revived.
7. Reply to this application shall be filed on behalf of the defendant within three (3) weeks.
8. Rejoinder thereto, if any, be filed within two (2) weeks thereafter.
9. List before the Joint Registrar for a fresh consideration of this application on 17th November, 2025.

AMIT BANSAL, J

SEPTEMBER 10, 2025

Vivek/-