



#32

\$~

\*

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

+

CS(OS) 2092/2013

CAPTAIN BHUPINDER KUMAR SURI ..... Plaintiff

Through Mr. Venancio D'Costa with Mr. Rohit  
Jolly, Advocates

versus

NARESH KUMAR SURI & ORS ..... Defendants

Through Proxy Counsel for Mr. Aditya  
Vaibhav Singh, Advocate for D-1.  
Mr. Jaideep Singh, Advocate for D-2.

**CORAM:**

**HON'BLE MR. JUSTICE MANMOHAN**

**ORDER**

%

**13.03.2019**

**I.A. 3629/2019**

Present application has been filed on behalf of the plaintiff for allowing the plaintiff to reopen the evidence and examine Capt. Ashok Sharma as a witness.

Learned counsel for the plaintiff/applicant states that vide order dated 10<sup>th</sup> July, 2018, learned Joint Registrar was pleased to allow the plaintiff's application to take on record the evidence of Capt. Ashok Sharma. He further states that Capt. Ashok Sharma is in the Merchant Navy and he is in Delhi only between 10<sup>th</sup> March, 2019 and 14<sup>th</sup> March, 2019.

Since the matter is already listed before the Local Commissioner on 14<sup>th</sup> March, 2019, this Court allows the present application and directs the



Local Commissioner to record the evidence of Capt. Ashok Sharma on 14<sup>th</sup> March, 2019.

However, as the present application has been '*moved at the eleventh hour*', plaintiff/applicant is directed to pay cost of Rs. 25,000/- to AIIMS Poor Fund Account No.10874588424 with SBI, Ansari Nagar, New Delhi (IFSC Code:SBIN0001536) within one week.

With the aforesaid directions, present applications stands disposed of.

**MANMOHAN, J**

**MARCH 13, 2019**

m