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

+ **TEST.CAS. 65/2007**

GURDEEP SINGH

..... Petitioner

Through: None.

versus

STATE & ORS.

..... Respondents

Through: Mr Subhash Chand, Advocate for R-1/applicant

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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02.07.2024

I.A. 31958/2024(by R-2 under Section 151 CPC for issuing fresh show cause notice)

1. The present application has been filed by the respondent no.2/applicant under Order 16 read with Section 151 CPC for issuance of show cause notice for securing the presence of witness for production of records.
2. Learned counsel for the respondent no.2/applicant invites the attention of the Court to the order dated 15.05.2024, whereby a show cause notice was issued to the Record Clerk from the office of M/s Hindustan Co-Operative House Building Society Ltd. to secure his presence as witness. He submits that since the order was uploaded late, therefore, the process fee could not be filed by the respondent no.2/applicant. He prays for issuance of fresh notice to secure the presence of aforesaid witness.
3. In view of the submissions made by the learned counsel for the



applicant, issue fresh show cause notice to the Record Clerk from the office of M/s Hindustan Co-operative House Building Society Ltd. calling upon him to show cause as to why the fine may not be imposed in terms of order 16 Rule 12(2) CPC, returnable before the Joint Registrar on 29.07.2024.

4. The application stands disposed of.

I.A. 5285/2024 (by R-2 under Order XVI Rule 2 read with Section 151 CPC for summoning of witnesses no.6)

5. Learned counsel for the respondent no.2/applicant further submits that the IA No.5285/2024 has been rendered infructuous in view of the order passed in IA No.8515/2024.

6. The submission of the learned counsel for the respondent no.2/applicant is taken on record.

7. As no order is warranted, the I.A. is disposed of.

VIKAS MAHAJAN, J

**JULY 2, 2024
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