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

+ **CS(COMM) 848/2016**

THE INDIAN HOTELS CO.LTD.Plaintiff

Through: Mr. Manish Biala and Mr. Devesh Ratan, Advocates.

versus

M/S BELSONS HOTELS PVT.LTD.Defendant

Through: Mr. Siddarth Agarwal, Advocates for defendants No. 2, 3 and 5.

**CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL**

ORDER
19.11.2024

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1. In the present case, one of the witnesses to be examined *i.e.*, DW-2, is a resident of Hyderabad.

1.1 In this regard, the Registry had earlier sent letters to Principal District and Sessions Judge, Hyderabad as well as the Registrar General, Telangana High Court for appointing a remote co-ordinator so that evidence of DW-2 could be recorded *via* video conferencing.

1.2 However, the Registry has not received any responses to the aforesaid letters.

2. Accordingly, the matter is listed before this Court.

3. In view of the position prevailing, counsel for the parties submit that a Court Commissioner be appointed by this Court to visit Hyderabad to record evidence of DW-2.



4. Counsel for the parties submit that based on the evidence by way of affidavit filed of DW-2, it will not take more than 4 to 5 hours for recording the evidence and it can be achieved in a day.
5. Accordingly, Ms Gurmeet Bindra (Mobile No. +91-9810155549) is appointed as a Court Commissioner to visit Hyderabad for recording evidence of DW-2.
6. Counsel for the parties shall approach the Court Commissioner to fix the date for recording of the evidence. The date shall be fixed after taking into account the availability of the witness and the counsel for the parties.
7. The fees of the Local Commissioner shall be fixed at Rs.1,00,000/- to be borne by the defendants. The defendants shall also bear expenses for travel, lodging and other miscellaneous out-of-pocket expenses for the execution of the commission.
8. For any reason, if the Court Commissioner is required to spend an additional day in Hyderabad for recording of evidence, she would be paid an additional fees of Rs.50,000/-.
9. List before the Joint Registrar on 28th January, 2025.

AMIT BANSAL, J

NOVEMBER 19, 2024
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