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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(COMM) 299/2017

M/S IVRCL LIMITED & OTHERSPlaintiffs

Through: Mr. Abhinandan Jain, Adv.

versus

M/S. IRCON INTERNATIONAL LIMITED

.....Defendant

Through: Ms. Leena Tuteja, Adv. (joined
through VC)

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

% **09.04.2025**

CS(COMM) 299/2017

1. It is stated by learned counsel for the plaintiffs that he has already deposited total cost of Rs.9000/- with Delhi High Court Legal Services Committee. He is directed to file proof of cost with the registry.
2. However, as per office note, the plaintiff has neither filed List of Witnesses and Evidence by way of Affidavit of their witnesses till date. At this stage, it is stated by learned counsel for the plaintiffs that he has filed List of Witnesses vide diary no.E-2479478/2025. The same is not on record.
3. It be noted that the matter was last listed on 27.11.2024, when subject to imposition of cost of Rs.7000/-, the last and final opportunity was granted to the plaintiffs to file List of Witnesses within two weeks and soft copy as well as physical copy of the Evidence Affidavits of their witnesses as per the List of Witnesses within four weeks with copy to the opposite side. However, the said order has not been complied with by the plaintiffs for which no plausible explanation is furnished



by the plaintiffs. So, no ground is made out to give further opportunity to the plaintiffs. However, solely, in the interest of justice and subject to imposition of further cost of Rs.10,000/- upon the plaintiffs, out of which Rs.5000/- to be paid to the defendant and Rs.5000/- to be deposited with Advocate's Welfare Fund by the plaintiffs, one more last and final opportunity is granted to the plaintiffs to take requisite steps to bring List of Witnesses on record within two weeks. The plaintiffs are also directed to file soft copy as well as physical copy of Evidence by way of Affidavits within eight weeks with copy to the opposite side.

4. It is stated by learned counsel for the defendant that he has not filed List of Witnesses as plaintiffs have not pursued the present matter by not complying the last order. He seeks sometime to file List of Witnesses in the prescribed format. The same be filed within four weeks with copy to the opposite side.

Re-notify the matter for PE on 07.08.2025.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)

APRIL 9, 2025/ab

[Click here to check corrigendum, if any](#)