



\$~27

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

+ **CS(OS) 3676/2014**

MASTER RACHIT @ CHINUPlaintiff

Through: **Mr. Himanshu Nigam,**
Adv. (through VC)

versus

SATYENDER DABAS & ORSDefendants

Through: **Mr. Mukul Sharma, Adv.**

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. SHUCHI
LALER (DHJS)**

ORDER

15.07.2024

%

Case file received from the court of Sh. Manish Sharma, learned Joint Registrar (Judicial) by way of transfer in terms of office order signed by learned Registrar (Original) on 28.06.2024.

1. The matter is at the stage of plaintiff's evidence. No witness is present today. Vide order dated 26.04.2024, the Hon'ble Court directed that the plaintiff shall lead evidence without seeking any adjournment, failing which, the suit would be liable to be dismissed for non-prosecution.
2. Learned counsel for plaintiff submits that only summoned witnesses remain to be examined in the instant matter and the summoned witnesses had not appeared before the Court on 14.12.2023, despite service.
3. Learned counsel for defendants submits that the plaintiff is deliberately delaying the proceedings and the plaintiff should have taken steps for summoning of the



witnesses in the light of order of the Hon'ble Court dated 26.04.2024.

4. The plaintiff could have filed an application before this court for summoning of witnesses or for appropriate directions against the summoned witnesses, who did not appear before this court on 14.12.2023 despite service. Same has not been done. In the light of order of the Hon'ble Court dated 26.04.2024, no further opportunity can be granted. Plaintiff's evidence is closed.

5. Renotify the matter for DE on 26.09.2024. Evidence by way of affidavit be filed by the defendants within four weeks with advance copy to opposite party.

**SHUCHI LALER (DHJS),
JOINT REGISTRAR (JUDICIAL)**

JULY 15, 2024/cd

Click here to check corrigendum, if any