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

+ **CS(OS) 1155/2015**

SURRINDERJEET SINGH AHLUWALIA & ANR

..... Plaintiffs

Through Mr. Chetan Lokur, Mr. Vaibhav
Tomar with Mr. Nitish Chaudhary,
Advs.

versus

JITENDARJIT SINGH AHLUWALIA & ANR

..... Defendants

Through Mr. Aseem Chaturvedi with Ms.
Ritika Ahuja, Advs.

CORAM:

**ASHUTOSH KUMAR (DHJS), JOINT REGISTRAR
(JUDICIAL)**

ORDER

% **04.11.2016**

CS(OS) 1155/2015

As per office note, list of witnesses filed by plaintiffs was returned under objection but the same was not re-filed and affidavits by way of evidence have not been filed by the plaintiffs. Vide order dated 16.05.2016, four weeks time was granted to plaintiffs to file affidavits towards the examination in chief of their witnesses. Learned counsel for plaintiffs has submitted that plaintiff no.1 is a resident of Netherlands and his medical condition prevented him from coming to India earlier as a result of which his affidavit by way of evidence

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could not be filed. He has further submitted that affidavit by way of evidence of PW-1 was filed vide diary no.284901 alongwith an application for condonation of delay u/s 5 of Limitation Act vide diary no. 284786 on 03.11.2016.

At request and in the interest of justice, last opportunity of one week is granted to plaintiffs to bring the list of witnesses and affidavits by way of evidence on record and delay in filing affidavits by way of evidence is condoned. Copies thereof be supplied to opposite side. However this will be subject to cost of Rs. 5000/- by the plaintiffs to the defendants.

Renotify for evidence of plaintiffs' witnesses on 27.02.2017 at 12.00 noon.

ASHUTOSH KUMAR (DHJS)
JOINT REGISTRAR (JUDICIAL)

NOVEMBER 04, 2016/cd