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

+ CS(OS) 1161/2015

RAKESH GUPTA & ANR

.....Plaintiffs

Through:

versus

SUSHIL KUMAR GUPTA & ORS

.....Defendants

Through: Mr. Keshav Sehgal, Mr. Shivam Gaur, Mr. Aryan Kumar and Ms. Rashi Singh, Advs. for D-1 & 2.

CORAM:

HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER

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07.04.2026

I.A. 9367/2026

1. This application is filed by defendant no.1 and 2 seeking appropriate directions regarding the fee of the Local Commissioner.
2. Learned counsel for defendant no.1 and 2 after arguing for some time seeks permission to withdraw this application.
3. The application is dismissed as withdrawn.

I.A. 9402/2026

4. Learned counsel for defendant no.1 and 2 relies upon a decision of the Bombay High Court in **Venkatrao A. Pai and Sons Ltd. v Narayanlal Bansilal & Ors.** 1960 SCC OnLine Bom 97 to contend that engaging of different advocates by the co-plaintiffs and thereafter separate cross-examination is not permitted.
5. Issue notice.



6. Put up before Joint Registrar on the date already fixed.

AVNEESH JHINGAN, J

APRIL 7, 2026

Ch