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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 441/2016**

SHRI AKHIL KUMAR VASHNEY & ANR Plaintiff

Through Mr. Anmol Kapur, Adv.

versus

SHRI RAJIV KUMAR Defendant

Through Mr. Y. K. Sharma, Adv.

CORAM:

SANJAY JINDAL (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% **09.08.2018**

CS (OS) 441/2016

The matter is listed for DE and all the witnesses (DWs) are present.

As per office note, affidavit of evidence has not been filed by defendant in terms of last order. Learned proxy counsel for plaintiff also submits that he has not received copy of the same.

It is stated by learned counsel for defendant that they have filed the affidavits of all the witnesses on last date of hearing i.e. on 22.05.2018 vide diary no.139828 and copies of the same were duly served upon the learned counsel for plaintiff on the same date itself. He has shown the receiving in this regard qua which learned proxy counsel for plaintiff is not aware. However the said affidavits are not on record. Learned counsel for defendant undertakes to check up with the registry and to do needful in this regard.

At this stage, learned main counsel for plaintiff is present and submits that he has received the copies of the affidavits of evidence.

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Since the affidavits of evidence are not on record, the matter stands adjourned and all the witnesses (DWs) are discharged un-examined for today only.

Re-notify the matter for DE on 26.09.2018.

SANJAY JINDAL (DHJS)
JOINT REGISTRAR (JUDICIAL)

AUGUST 09, 2018/ab