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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. Ashish Kapur & Ms. Chhavi
Luthra, Adv. with plaintiff no.1 in
person

versus

SHRI RAJIV KUMAR Defendant
Through Mr. R. K. Sharma, Adv.

CORAM:

SHARAD GUPTA (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% **07.11.2019**

Proceeding-2.05 p.m. to 3.20 p.m.

Evidence-2.06 p.m. to 3.16 p.m.

Pages-3

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At this stage, it is submitted by defendants that they do not wish to further examining DW3 Sh. Sushil Kumar Varshney and are giving him up from the array of defence witnesses as he is not well. Documents purported to be discharge summary of Sh. Sushil Kumar Varshney are produced in court and taken on record. Separate statement of defendant no.1 for himself as well as for defendant no.2 recorded today. Copy of discharge summary supplied to learned counsel for plaintiff. Learned counsel for plaintiff submits that DW3 Mr. Sushil Kumar Varshney is being malafidely withheld for suppressing the truth. Be that as it may, the defendants are masters of the defence to be led and have given up DW3 from the array of the witnesses. The objections of the plaintiff can be taken note of at the appropriate stage.

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DW4 Mr. Bhram Dutt Sharma is present, examined-in-chief and partly cross-examined. His further cross-examination is deferred in view of reasons mentioned in his deposition-sheet.

Re-notify the matter for further DE on 15th and 29th January, 2020.

SHARAD GUPTA (DHJS)
JOINT REGISTRAR (JUDICIAL)

NOVEMBER 07, 2019/ab

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