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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, Advs. with P-1 in person
versus
SHRI RAJIV KUMAR Defendant
Through Mr. R. K. Sharma, Adv. for D-1
Mr. Y. K. Sharma, Adv. for D-2

CORAM:

SHARAD GUPTA (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% **29.01.2020**

CS(OS) 441/2016

The matter is listed today for further DE. Learned counsel for plaintiff has already stated on last date of hearing that he would cross-examine DW2, DW4 and other defendant no.1's witnesses together, on the aspects of the deeds, on next date i.e. today.

As per office note, witnesses of defendant no.1 are un-served with report '*incomplete address*'. Learned counsel for defendant no.1 submits that he require one more opportunity to trace out the addresses of the witnesses. Accordingly at request, the witnesses mentioned at Sr. No.5 to 7 of the list of witnesses already filed by defendant no.1 be summoned for next date on taking steps by defendant no.1. Diet money to be paid at the spot. It is jointly stated by defendant no.1&2 that the witness mentioned at Sr. No.3 Mr. Sushil Kumar has been given up from the array of the witnesses by both the defendants. At request, the process be given *dasti* in addition.

At this stage, it is stated by learned counsel for defendant no.2

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that defendant no.2 would not lead evidence separately but would rely on the evidence and list of witnesses already filed by defendant no.1.

At request, re-notify the matter for further DE on 14th and 24th April, 2020. Let defendants may file evidence affidavit, if any, of remaining witnesses two weeks prior to next date with advance copy to opposite side.

SHARAD GUPTA (DHJS)
JOINT REGISTRAR (JUDICIAL)

JANUARY 29, 2020/ab

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