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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 521/2016, I.A. 34397/2024**
SHRI KAILASH GUPTA & ANR

.....Plaintiff

Through: Mr. Ambuj Ojha, Mr. Satyendra Kumar, Ms.
Shivani Sanghi, Advs. M. 9161666007)

versus

SHRI VIRENDER PRATAP SINGH CHARAK & ORS

.....Defendant

Through: D-1 in person
Mr. Rajeev Chauhan, Ms. Shubhra Parashar,
Advs. for D-3

CORAM:
JOINT REGISTRAR (JUDICIAL) MS. TYAGITA SINGH, (DHJS)

ORDER
% **25.07.2024**

Matter is taken up through physical hearing as well as video conferencing.

I.A. 34397/2024 (Application u/O XVI Rule 1 and 2 CPC filed by defendants no. 1 and 2 CPC for summoning record)

Notice accepted. Copy already supplied. Ld. Counsel for defendant no.3 has stated that he has no objection to the application.

Ld. Counsel for defendants no. 1 and 2 has stated that plaintiff's, witness PW-1 Sh. Kailash Gupta is under cross-examination before Ld. Local Commissioner and next date of hearing before Ld. Local Commissioner is 29.07.2024 but witness is not giving proper answers to the



questions raised by Ld. Defence Counsel in the previous proceedings, due to which the record of two cases CS(OS) 2348/2007 and CS(OS) 438/2009 is required to be summoned before the Ld. Local Commissioner for further cross-examination of the witness and for confronting him with certain documents from the said record.

Heard. Keeping in view the facts and circumstances mentioned in the application and the urgency put forth by Ld. Counsel for defendant no.1 and 2, the application stands allowed. Summons be issued Dasti to concerned official of Registry/Record Keeper, on filing of PF, for taking complete file of above mentioned cases as mentioned in the application, before the Ld. Local commissioner on 29.07.2024 at the time and place to be specified by the applicant. Diet money be paid at the spot. **I.A. stands disposed off.**

If Ld. Counsel for plaintiff has any objection to the record, he may raise such objection at the time of recording of evidence before Ld. Local Commissioner.

At request, copy of Order be supplied dasti under signature of the Court Master.

**TYAGITA SINGH, (DHJS),
JOINT REGISTRAR (JUDICIAL)**

JULY 25 2024/sm