



\$~16

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 1423/2016**

BRIJESH KUMAR & ASSOCIATESPlaintiff

Through: Mr. Sanjay Bhaumik, Adv.

versus

DELHI DEVELOPMENT AUTHORITY & ANRDefendant

Through: Ms. Chand Chopra, Ms. Yogya Sharma.
Advs. for DDA (R-1)

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

ORDER
27.08.2024

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

Perusal of file noting reveals that affidavit of evidence has not been filed by defendant /DDA till date despite grant of various opportunities and previous cost has not been paid by defendant to plaintiff. Ld. new counsel for defendant /DDA has appeared online and stated that she has been recently engaged and she will file vakalatnama and take appropriate steps for leading defendant's evidence on next date of hearing.

Ld. Counsel for plaintiff has strongly objected that defendant has failed to lead evidence despite grant of various opportunities since last year when evidence of plaintiff was closed on 18.01.2023.



In the interest of justice, last and final opportunity is granted to defendant /DDA for filing affidavit of evidence of the witnesses within 4 weeks with advance copy to Ld. Counsel for plaintiff, subject to further cost of Rs. 5000/- to be paid by defendant to plaintiff. Entire costs be paid by defendant to plaintiff positively by next date of hearing.

Be fixed for Defendant's Evidence on 06.11.2024. The witness and main counsels for the parties are directed to appear physically on next date.

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

AUGUST 27, 2024/sm