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***IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(OS) 535/2016

SHASHI AGRAWAL

.....Plaintiff

Through: Mr. Nitish Chaudhary, Adv.

versus

VIJAY KUMAR AGRAWAL & ORS

.....Defendants

Through: Ms. Shalinii Kapoor, Mr. Siddharth Aggarwal and Ms. Divyanshi Saxena, Advs. for D-1 & 9

CORAM:

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

ORDER

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19.12.2024

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

The case is fixed for plaintiff's evidence and the list of witnesses has been filed by plaintiff. Copy supplied. However, the affidavit of evidence of the plaintiff has not been filed on record. Ld. Counsel for plaintiff has sought some more time for filing the affidavit on the ground that plaintiff is old and aged and suffering from various old age ailments.

Ld. Counsel for defendants no. 1 and 9 has strongly opposed the submissions of plaintiff and stated that on the last date of hearing, the Hon'ble Court had directed plaintiff to file affidavit of evidence within four weeks from order dated 18.09.2024 but till date, affidavit of evidence has not been filed and plaintiff is intentionally delaying the matter.

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Keeping in view the submissions of the parties, last and final opportunity is granted to plaintiff for filing affidavit of evidence within two weeks subject to cost of Rs. 5000/- to be paid by plaintiff to defendant no. 1 and 9. Advance copy of affidavit of evidence be supplied to Ld. Counsel for defendants no. 1 and 9.

Ld. Counsel for defendants are directed to file list of witnesses within four weeks with advance copy to plaintiff.

Be fixed for Plaintiff's Evidence on 19.03.2025.

**TYAGITA SINGH, (DHJS),
JOINT REGISTRAR (JUDICIAL)**
DECEMBER 19, 2024/sm

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