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

+ CS(OS) 2122/2015 with CC 79/2016, CRL.M.A. 2002/2019 &
I.A. 1351/2019

HARJIT KAUR Plaintiff

Through: Mr.N.S.Dalal, Ms.T.Banerjee &
Mr.Manu Kharra, Advocates

versus

SHANKAR MUKHERJEE Defendant

Through: Mr.Arpit Rai, Advocate

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **23.01.2020**

1. On 12.12.2019, although the matter had been heard in part on an earlier occasion, learned counsel for the defendant sought an adjournment. The adjournment was granted, subject to payment of costs of ₹25,000/- to learned counsel for the plaintiff. Reference was made to the earlier order dated 22.08.2019, wherein the conduct of the defendant was commented upon, and costs imposed for adjournment. Learned counsel for the plaintiff states that costs in terms of the order dated 12.12.2019 have not been paid.

2. Today, learned counsel appears on behalf of defendant and states that defendant has changed his counsel. A further adjournment is sought.

3. Keeping in mind the orders dated 22.08.2019 and 12.12.2019, I am of the view that an adjournment cannot be granted without payment of further costs. The defendant must face the consequence of his conduct in

changing his counsel at the last minute. The request of learned counsel for the defendant is therefore accepted, subject to payment of further costs of ₹25,000 to the plaintiff through counsel.

4. List on 05.05.2020.

5. The costs in terms of this order and order dated 12.12.2019 be paid within two weeks to the plaintiff through her counsel. Learned counsel for defendant shall file his *Vakalatnama* within two weeks. He assures the Court that no further adjournment will be sought on his behalf.

PRATEEK JALAN, J

JANUARY 23, 2020

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