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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 538/2017**
SUNIL KUMARPlaintiff

Through: Ms. Megha Yadav, Adv. for Mr.
Manish Paliwal, Adv. with PW1
in person

versus

LARSEN AND TOUBRO LTD.Defendant
Through: Mr. Ankit Chaturvedi, Adv.

CORAM:
JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)

ORDER

% **30.09.2024**

CS(COMM) 538/2017

1. As per record, List of Witnesses filed by defendant is already on record.
2. As per office note, Vakalatnama, List of Witnesses and proof of cost of Rs.1000/- filed by the plaintiff are on record.
3. It is pointed out by learned counsel for the defendant that the plaintiff has filed vague List of Witnesses and has proposed to examine seven witnesses by simply mentioning that the said witnesses are proposed to prove all the facts as asserted by the plaintiff, without giving any details that for which particular fact(s), the said respective witnesses are sought to be examined. At this stage, learned counsel for the plaintiff seeks adjournment on the ground that main counsel is not available today.
4. Further, hard copy of Evidence Affidavit of the plaintiff/PW1/Mr. Sunil Kumar has not been filed by the plaintiff for which no plausible explanation is furnished by the plaintiff.
5. Despite specific order dated 29.04.2024 of Hon'ble



Court and directions given vide last order dated 05.09.2024 that no adjournments shall be granted to the parties in the future unless absolutely necessary and all compliances should be made by the parties within the timeline fixed in the present matter, the plaintiff has not take requisite steps for recording of evidence of PW1 today by filing/bringing on record hard copy of Evidence by way of Affidavit of PW1.

6. In view of same, cost of Rs.15000/- is imposed upon the plaintiff to be deposited with Delhi High Court Legal Services Committee. Now, the plaintiff is granted last and final opportunity to take requisite steps for leading PE and also take steps to file/bring on record the physical copy of Evidence Affidavit of PW1 before the next date of hearing.

Re-notify the matter for PE on 13.12.2024 at 12.00 noon.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
SEPTEMBER 30, 2024/ab

Click here to check corrigendum, if any