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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 785/2017**
JAGMOHAN BEHLPlaintiff

Through: Mr. J. Karan Malhotra, Adv.
versus

STATE BANK OF INDOREDefendant
Through: None.

CORAM:

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

ORDER

% **03.10.2024**

I.A. 32319/2024 under Order XII Rule 6 of the Code of Civil Procedure, 1908 moved by plaintiff seeking decree in the captioned suit to the extent of alleged admission by the defendant

No reply to the captioned IA has been filed by the defendant despite granted last and final opportunity to the defendant vide order dated 19.07.2024. Moreover, none is present on behalf of the defendant today to explain in this regard. So, the right of the defendant to file reply is ordered to be closed.

At request of the plaintiff, place the captioned IA before the Hon'ble Court on **14.11.2024**, for further directions.

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The matter is listed today for DE. As per office note, the defendant has not complied the last order dated 19.07.2024 at all as List of Witnesses and Evidence by way of Affidavit of its witnesses has not been filed by the defendant till date despite being granted the last and final opportunity and imposition of cost of Rs.3000/- upon the defendant vide said order. Learned counsel for the plaintiff submits that he has neither received cost nor copy of List of Witnesses and Evidence Affidavit from the defendant.



None is present on behalf of the defendant today to explain in this regard. No ground is made out to give further opportunity to the defendant in this regard. However, solely, in the interest of justice and subject to imposition of further cost of Rs.10,000/- upon the defendant to be paid to the plaintiff, one more last and final opportunity is granted to the defendant to comply the said order dated 19.07.2024 with copy to the opposite side.

The defendant is also directed to pay the total cost of Rs.13000/- to the plaintiff before the next date of hearing. Copy of the order be sent to learned counsel for the defendant.

Re-notify the matter for DE on **29.01.2025**.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
OCTOBER 3, 2024/ab

Click here to check corrigendum, if any