

M/s Sohmed Care Pvt Ltd vs. Lok Raj and another

COMS No 28 of 2018

03.03.2022 Present: Mr. Rahul Mahajan, Advocate for the plaintiff.
Mr. Janesh Gupta, Advocate for defendant No.1.
Mr. Vinod Chauhan, Advocate for defendant No.2.

Mr. Sandeep Singh authorized signatory on behalf of plaintiff is present in person.

Notices issued to two other witnesses namely Bhushan Kumar and Gurcharan Singh stand duly served, but, neither they are present nor any information or application or request has been received on their behalf either directly or through plaintiff, whereas it was clearly mentioned in notices, issued to them, that on non-compliance, without lawful excuse, they shall be subjected to consequences for non-attendance, in terms of Order 16 Rule 12 CPC.

Learned counsel for the plaintiff seeks time to examine Sandeep Singh also, by seeking leave to examine him after recording of evidence of other witnesses, for which no objection has been communicated by learned counsel for the defendants.

Accepting the request of learned counsel for plaintiff, matter is adjourned.

In view of request made on behalf of plaintiff, other witnesses except Sandeep Singh be summoned for recording of their evidence on the date fixed by Additional Registrar (Judicial). Mr. Sandeep Singh, authorized signatory on behalf of plaintiff is directed

to remain present in person on next date fixed for recording evidence of plaintiff.

For absence of Bhushan Kumar and Gurcharan Singh, notice under Order 16 Rule 12 CPC also be issued to them to show cause as to why fine may not be imposed upon them for their absence today despite service.

Learned counsel for defendant No.1 has pointed out that Registry has not registered the present suit as Civil Suit as directed by the Coordinate Bench on 26.8.2021. Registry to ensure the compliance by next date.

List before the Additional Registrar (Judicial) on 7th March, 2022 for fixing a date for recording the evidence of plaintiff in the month of April, 2022.

March 03, 2022
(ms)

(Vivek Singh Thakur)
Judge