

CS No. 19 of 2014 a/w counter claim No. 45 of 2014

07.12.2018

Present: Mr. Satya Vrat Sharma, Advocate, for the plaintiff.
Mr. H.S. Upadhyay, Advocate, for the
defendant/counter claimant.

Though PW6 Mr. Vikas Jain, has come present for getting his statement recorded, but PW2, who is also summoned for today, has not come present as he has not been served due to change in address. Mr. H.S. Upadhyay, Advocate, states that since Company Advocate is not present today, he won't be able to cross-examine PW6 Vikas Jain, and as such, his statement may be deferred to some other date. He also states that it would be convenient in case statements of PW6 and PW2 are recorded on the same date, and they are cross-examined together.

Mr. Satya Vrat Sharma, Advocate, states that on the last date of hearing, this Court had directed the plaintiff to produce PW6 on self-responsibility and as such, lot of inconvenience would be caused in case statement of PW6 is not recorded today, because it is not easy for PW6 to come time and again for getting his statement recorded because of his pre-occupation on account of his business. Learned counsel for the defendant/counter claimant, fairly states that defendant/counter claimant is ready to bear his today's expenditure.

In view of the aforesaid, statement having been made by Mr. Upadhyay, this Court deems it fit to defer the statement of PW6 and as such, he is discharged for the day.

Now let the fresh date be fixed by the learned Additional Registrar (J.), for recording of statements of PW6 and PW2, preferably in the first week of March, 2019. Since PW6 would be produced by the plaintiff on self-responsibility, now steps be only taken for the service of PW2, within a period of one week, to enable

the Registry to serve PW2 for the date to be fixed by the learned
Additional Registrar (Judicial.)

7th December, 2018
manjit

**(Sandeep Sharma),
Judge**