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

+ **C.RULE 1/2015**

KRISHNA SRIVASTAVA

..... Petitioner

Through:

versus

THE ROBBINS COMPANY ET AL

..... Respondent

Through: Mr. Sanjay Jain, ASG along with
Ms.Ruchi Jain, Mr. Sarfaraz Ahmad
& Ms. Shreya Sinha, Advocates for
UOI.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

27.05.2016

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An affidavit of compliance has been filed by Mr. Sarfaraz Ahmad, panel counsel of Government of India. He states that in compliance of the order dated 19.01.2016, he personally sent an e-mail dated 04.02.2016 to Mr. James M. Lee at his e-mail address (James.Lee@Itlattorneys.com). Mr.Lee has been conveyed the order dated 08.07.2015 and 19.01.2016 passed by this Court as well as the communication dated 23.12.2015. Copy of the said e-mail has been placed on record. He further states that he has not received any response from Mr. James M. Lee till date. He further states that in addition to the above, the learned Additional Solicitor General of

India has also conveyed the orders passed by this Court to the Ministry of Law & Justice for compliance. The said correspondence has also been placed on record.

Since there is no consent forthcoming from the State of Origin for reimbursement of the fees to be paid to the expert and costs which may be occasioned by the use of a special procedure as requested by the State of Origin, the recording of evidence cannot commence.

Accordingly, this order be communicated to the Central Government, Ministry of Law & Justice, Department of Legal Affairs (Judicial Section) for it being informed to the United States District Court for the Northern District of Ohio Eastern Division that the evidence cannot be recorded in the present case in the aforesaid circumstances.

The Civil Rule stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

MAY 27, 2016

B.S. Rohella