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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 1055/2015
M/S ELGIN ELECTRONICS

..... Petitioner

Through Mr. Puneet Goel, Adv.

versus

M/S INDEKOR

..... Respondent

Through Mr. Anil Panwar, Adv.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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20.01.2016

The petitioner is aggrieved by the order dated 20.07.2015 vide which his right to cross-examine the witnesses of the plaintiff stood closed. Submission being that this right was closed at 11:30 am although the defendant firm was represented through its A.R. Anuj Saxena. Presence of Anuj Saxena has been marked in the ordersheet. It is also correct that the right of cross-examination of the petitioner stood closed at 11:30 am as the time has been noted in the order. It is also an admitted fact that the plaintiff was already under cross-examination and his cross-examination was continued on 20.07.2015.

A valuable right of the petitioner would be lost in case he is not permitted to cross-examine the witnesses of the plaintiff. The impugned order is accordingly set aside. This order is passed subject to payment of costs of Rs.3,000/-. The petitioner is granted to cross-examine the plaintiff who shall be present on the next date of hearing i.e. on

29.02.2016. Learned counsel for the plaintiff/non-applicant undertakes and ensures the Court that the plaintiff shall be present in the Trial Court on 29.02.2016. No further opportunity shall be granted to the petitioner for the said purpose.

With these directions, petition disposed of.

INDERMEET KAUR, J

JANUARY 20, 2016

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