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

+ **W.P.(C) 10387/2015**

G.D. GOENKA PRIVATE LIMITED

..... Petitioner

Represented by: Mr.Harish Malhotra, Sr.Adv.
instructed by Mr.Nilava
Bandhopadhay, Mr.Vihal Gera,
Advs.

versus

STANDARD CHARTERED BANK

..... Respondent

Represented by: Mr.Ateev Mathur,
Mr.A.P.S.Sehgal, Advs.

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

01.03.2016

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1. As we proceeded to hear arguments the loose and laconic pleadings were found to be missing the point. A simple issue concerning entitlement to cross-examine a witness has no pleadings in the writ petition as to why the witness was desired to be cross-examined. Suffice it to state that the writ petition has to centre on the issue settled for determination between the parties, the nature of the testimony of the witness whose cross-examination was desired; highlighting the purpose of the intended cross-examination.
2. Lest the writ petition suffers dismissal on a technical ground on lack of adequate pleadings we permit the writ petition to be withdrawn with liberty granted to file a fresh petition on the same cause, but with material pleadings.

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3. Dismissing the petition as withdrawn liberty is granted to file a fresh petition laying a challenge to the impugned order declining right to cross-examine the deponent of the witness of the bank who has filed the affidavit by way examination-in-chief.

4. Interim protection granted vide order dated November 04, 2015 is extended till March 12, 2016.

5. No costs.

CM 25993/2015 (stay)

Dismissed as infructuous.

PRADEEP NANDRAJOG, J.

MUKTA GUPTA, J.

MARCH 01, 2016

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