

4 Notice of motion accordingly disposed.

5 On 19th June 2017 recording of evidence of plaintiff's first witness commenced and it was inconclusive and matter was stood over to 10th July 2017. On 10th July 2017 the counsel appearing for plaintiff informed the Court that certain portions of the evidence affidavit cannot form part of testimony of witness and suggested that those portions be bracketed so that defendants need not cross examine on those points. Therefore, certain portions in the evidence affidavit of plaintiff's first witness was bracketed. The counsel for plaintiff also stated that plaintiff has located certain documents, photocopies of which were in the compilation file. The counsel also stated that he wanted some time to consider those documents and also give inspection of those documents to defendants and take further steps.

6 Ms. Hatoda, counsel for defendants states that thereafter plaintiff's counsel has not addressed any communication calling upon defendants to take inspection. Since 10th July 2017 there has been no progress in this suit which has been filed in the year 1998.

7 Stand over to 6th September 2018 for marking of documents/ recording of evidence on which date plaintiff's first witness shall, without fail, remain present in Court. If plaintiff does not remain present like today, the suit will get dismissed for want of prosecution and if plaintiff's witness

does not remain present, plaintiff's evidence will be closed.

Gauri
Amit
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(K.R. SHRIRAM, J.)