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

+ **CS(OS) 803/2009**

M/S BABBAR WRECKERS PRIVATE LTD. Plaintiff

Through **Mr. Manish Kumar Mishra and Mr.
Vipul Kumar Tiwari, Advocates**

versus

M/S ASHOK LEYLAND LTD. Defendant

Through **Mr. Pankaj Kumar and Mr. Vinay
Kumar Shukla, Advocates**

CORAM:

MS. RAJRANI (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% 02.04.2018

The Registry is directed to re-number the present suit as CS (Commercial) and while allotting the new number, the Registry shall also indicate on the file, the old registration number of the case.

PW- Mr. Shiv Dayal, Assistant Engineer, SQA (V), Red Fort, New Delhi presently posted at Kanpur, is present, but could not be examined as original records/joint inspection report conducted from 08.11.2000 to 24.11.2000 are not on judicial record.

Ld. Counsel for plaintiff submits that he will summon the original records/documents from the concerned department. Let the concerned official alongwith original joint inspection report, from the office of Ministry of Defence, Department of Defence Production/DGQA, Directorate of Quality Assurance/Vehicle, 53, 'H' block, New Delhi-110 011 be

summoned for next date of hearing. Copy whereof be attached with the summons. He will also summon the records pertaining to the documents referred being Annexure 'C' mentioned in para 3 of IA No. 12496/2017 from the Department Takaniki Group Vaidyut Aur Yantrik Engineer Mukhalaya, Headquarter, Technical Group EME, Delhi Cantt - 110 010 and Directorate General of Ordinance Services, Master General of Ordinance Branch, Army Headquarters, DHQ, PO, New Delhi-110 011. Let the concerned official be summoned alongwith original of the abovementioned record. Copy whereof be attached with the summons.

Diet money of Rs. 3,500/- paid to PW-Mr. Shiv Dayal by ld. Counsel for plaintiff and he is bound down with direction to appear on the next date of hearing.

Summons issued to other witnesses not received back.

Let fresh summons be issued to other witnesses on filing of PF, Speed Post and approved courier.

Put up for plaintiff's evidence on **30th May, 2018**.

At request, copy of this order be given dasti to witness.

RAJRANI (DHJS)
JOINT REGISTRAR (JUDICIAL)

APRIL 02, 2018
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