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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ **RFA 55/2018 and C.M. Appl. No. 2069/2018 (for stay)**

M/S MEDICINE HOUSE & ANR

..... Appellants

Through: Mr. Amit Singh, Advocate (Mobile
No. 9818934544).

versus

BIO CHEMIE GMBH

..... Respondent

Through: Mr. Sumit Nagpal, Advocate (Mobile
No. 9811051285).

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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17.12.2018

1. After arguments, this appeal is disposed of with the consent order by setting aside the impugned judgment dated 25.8.2017 but giving the appellants/defendants exactly three opportunities, and not a single more, to complete their examination-in-chief. In case the examination-in-chief of the witnesses is not completed in three hearings then the evidence of the appellants/defendants will be deemed to be closed.

2. Grant of opportunities to the appellants/defendants to lead evidence is subject to payment of costs of Rs.30,000/- to the counsel for the respondent/plaintiff and which costs shall be positively paid on the first date of hearing fixed before the trial court.

2. Parties to appear before the District and Sessions Judge, West District, Tis Hazari Courts, Delhi on 23rd January, 2019 and the District and Sessions Judge will now mark the suit for disposal to a competent court in accordance with law.

VALMIKI J. MEHTA, J

DECEMBER 17, 2018

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