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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(COMM) 293/2019 & IAs No.14879/2019 (of defendant u/O IX R-13 & u/O XXXVII R-4 CPC r/w S-151 CPC) & 14880/2019 (for condonation of 12 days in filing IA No.14879/2019)

MUKTA OJHA

..... Plaintiff

Through: None.

Versus

BIRENDRA KUMAR SINGH

..... Defendant

Through: Mr. Ravi Bhushan, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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11.02.2020

1. In pursuance to the order dated 23rd October, 2019, Mr. Ravi Bhushan, Advocate has filed his own affidavit dated 21st November, 2019, which has been perused.

2. Mr. Ravi Bhushan, Advocate, in the said affidavit has not disclosed the date when he was searching the website of this Court, as deposed in paragraph 4 of the affidavit.

3. Mr. Ravi Bhushan, Advocate states that he does not remember but on asking, when approximately he was searching the website as deposed in paragraph 4, he says that it was perhaps after 2nd September, 2019.

4. On 2nd September, 2019, the suit was disposed of and the question of the suit appearing in the Cause List of this Court does not arise. Mr. Ravi Bhushan, Advocate in his affidavit has stated that he was searching the CS(COMM) 293/2019

website of this Court to find out the status of the new proceeding, if any initiated at the behest of the plaintiff against the defendant and more particularly against the order dated 16th July, 2019 disposing of Criminal Revisions. While searching the website for the said purpose, the search would be of the Cause List of this Court only and the order dated 2nd September, 2019 would appear only against the name of a particular Judge who had passed the order and would not be appearing in the Cause List of this Court. There is no explanation why Mr. Ravi Bhushan, Advocate, while searching for the remedy if any taken against Criminal Revisions, would visit the orders of the Judges exercising Ordinary Original Civil Jurisdiction of this Court and reach the order dated 2nd September, 2019 which can be reached only after knowing the suit number.

5. Mr. Ravi Bhushan, Advocate states that a search by party name yields results of civil as well as criminal matters and that is how he came across the subject suit.

6. Though the aforesaid statement does not inspire confidence, but issue notice to the plaintiff through counsel returnable on 21st April, 2020.

RAJIV SAHAI ENDLAW, J.

FEBRUARY 11, 2020

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