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

+ **CS(COMM) 138/2023 & I.A. 6420/2025**

RAJ KUMAR JALAN

.....Plaintiff

Through: Ms. Udipti Chopra, Mr. Kunal Anand
& Mr. Harsh Gautam, Advocates.

versus

PRAKSH CHAND JALAN

.....Defendant

Through: Mr. Raunaq Bali, Advocate.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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07.08.2025

I.A. 6420/2025 (under Order XLVII Rule 1 of CPC)

1. This application has been filed on behalf of the plaintiff seeking recall of the order passed on 27th November, 2024.
2. *Vide* the said order, the Court had framed the issues in the suit and passed directions with regard to filing list of witnesses of the parties and affidavit of evidence by the plaintiff. The Court had also appointed a Local Commissioner to record the evidence in the suit.
3. Counsel for the plaintiff submits that the plaintiff is not in a financial condition to pay the fees of the Local Commissioner, fixed at ₹10,000 per hearing. In view thereof, he seeks a recall of the order to the extent that the Local Commissioner has been appointed to record evidence.
4. Counsel for the defendant does not oppose the present application.
5. Accordingly, the order dated 27th November, 2024, is recalled to the



extent it pertains to appointment of a Local Commissioner to record the evidence in the case.

6. The application stands disposed of.

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7. In view of the order passed above, the evidence in the suit shall be recorded before the Joint Registrar of this Court.

8. Parties shall file their respective list of witnesses within four (4) weeks from today.

9. The plaintiff shall file evidence of its witnesses by way of affidavits within six (6) weeks from today.

10. List before the Joint Registrar for fixing of dates of trial on 23rd September, 2025.

AMIT BANSAL, J

AUGUST 7, 2025

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