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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CS(COMM) 977/2016 and CC 38/2012**  
**TEN XC WIRELESS INC & ANR** ..... Plaintiffs  
Through: Mr. Sidhant Goel, Advocate with  
Mr. Dhruv Gautam, Advocate

versus

**MOBI ANTENNA TECHNOLOGIES(SHENZHEN) CO LTD** ..... Defendant  
Through: Mr. Shantanu Tyagi, Advocate with  
Ms. Apoorva Murali and Mr. Chirag Narsimiah,  
Advocates for D-1.  
Mr. Ajay Kumar, Advocate for Mr. Shailesh K.  
Kapoor, Advocate for D-2 and D-3.

**CORAM:**  
**HON'BLE MS. JUSTICE HIMA KOHLI**

**ORDER**  
% **15.09.2016**

**I.A. 11313/2016 (by D-1/counter claimant u/S 151 CPC)**

1. The present application has been filed by the defendant No.1/counter claimant praying *inter alia* for extension of time by three weeks reckoned from 21.09.2016 to file the affidavit of one of their witnesses.
2. Issue notice.
3. Counsel for the non-applicants/plaintiffs accepts notice and states that he has no objection to the present application being allowed. He adds that if the timeline for filing the affidavit by of evidence on the part of the defendant No.1 in the counter claim is extended, then similar extension be granted to the plaintiffs.

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4. The other side has no objection to the said suggestion.
5. Having regard to the fact that the evidence shall be recorded before the Local Commissioner on 11.11.2016 and the extension of time prayed for by the defendant No.1 shall not disturb the said schedule, defendant No.1 is granted additional time of three weeks to file the affidavit of one of their witnesses, as mentioned in the application, with a copy to the counsel for the plaintiffs, who shall file their affidavits by way of evidence in support their averments made in the written statement to the counter claim within three weeks thereafter.
6. The application is disposed of.

**HIMA KOHLI, J**

**SEPTEMBER 15, 2016**

rkb/ap