

Order

T.S-77/2008

Kamla Devi & Others V/S Bihar sarkar & Others

14-11-2019. Heard Both parties. Learned counsel for palaintiff Shri Vikash Anand (Advocate) files a petition that PW5 would not turn up for deposition and expresses his inability to produce PW 5 Kamlesh Thakur for deposition.

Learned counsel for defendent number 2-5 Shri Shiv Ji Yadav raises an objection and states that PW5 is deliberately not turning up for deposition and is evidence must be expunged.

On perusal of record it transpires that several opportunities afforded to PW5 so as his deposition may be completed but PW5 has not turned up for deposition. An adverse inference is thus drawn up.

The court is of the opiution that evidence of PW5 is required to be expunged and directs the same in the interests of justice place on 27-11-2019.

By order

Munsif