

(1)

CS DJ No. 15291/08
Rakesh vs Bhole
06.01.2024

File received by way of transfer pursuant to order no. 93035-93070/F.3(4)/ADJ/Gaz/2023 dt. 18.12.2023 passed by Ld. Principal District & Sessions Judge (HQs). It be checked and registered.

Present :- Sh. Chandra Bhan Singh, proxy counsel for the main counsel Sh. Vivek Sharma for the plaintiff.
Sh. Rattan Prakash, Ld. Counsel for the defendant no. 1, 3 to 8, 15, 16, 22, 23 and LRs of the defendant no. 12 alongwith LR no. (v) Sh. Krishan Bidhuri of deceased defendant no. 12.
Sh. Humayu Khan, proxy counsel for the main counsel Sh. Deepak for the defendant no. 25 alongwith defendant no. 25 Sh. Veer Singh.
Remaining defendants are ex-parte.

Vide the order dated 02.12.2023, PE was closed and matter was listed for DE however, proxy counsel for the plaintiff submits that vide order dated 18.08.2023 passed in CM (M) 1319/2023 by the Hon'ble Delhi High Court, it was directed to the Trial Court not to close the right of the plaintiff to lead evidence until the final decision of the petition.

The order dated 18.08.2023 passed by the Hon'ble Delhi High Court has been pointed from the record in this regard and further proxy counsel for the plaintiff submits that the petition has not yet been finally decided and is pending for 15.02.2024 before the Hon'ble Delhi High Court. He submits that in these circumstances, he shall move an appropriate application for setting aside the order dated 02.12.2023. In case any such application is filed, advance copy of the same be supplied to the opposite parties.

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In the meantime, evidence by way of affidavit on behalf of LR no. (v) Sh. Krishan Bidhuri of deceased defendant no. 12 has been filed in DE and copy of the same has been supplied to proxy counsel for the plaintiff.

Put up first for filing of appropriate application on behalf of the plaintiff/further proceedings on **30.03.2024**.

(Anjani Mahajan)
ADJ-12 Central, THC,
Delhi/06.01.2024