

CS No. 408/17
02.11.2018 (at 11:30 AM)

Present: None for plaintiff.

Defendant in person with Ld. Counsel Sh. Anil Kumar Singh.

No one has responded for the plaintiff even on the second call.

Be awaited.

(Sanjay Sharma-I)
Addl. District Judge-02(East)
Karkardooma Courts- 02.11.2018

At 12:00 Noon

Present: Sh. SS Tomar, proxy for Ld. Counsel for plaintiff.

Defendant in person with Ld. Counsel Sh. Anil Kumar Singh.

Court copy of the affidavit in evidence of plaintiff filed. Its copy already stand supplied to the defendant.

Arguments on the application of the defendant under Order 18 Rule 17 CPC for recalling PW1 and PW2 heard.

It is submitted that the plaintiff had filed the application for summoning the said witnesses in between the two dates without supplying its copy to the defendant/Ld. Counsel for defendant and therefore, the defendant was not aware who was the witness to be examined and as such, the Ld. Counsel for defendant was not prepared for their cross examination and as such, the present application was filed. It is also submitted that the said two witnesses are very material as they had proved the enquiry report against the defendant.

No reply to the application has been filed, though, it has been vehemently opposed by Ld. Counsel for plaintiff. However, considering the above facts, PW1 and PW2 are directed to be recalled subject to cost of Rs. 2,000/-. Application stands disposed of accordingly.

Matter be now listed for cross examination of PW1 and PW2 who shall be summoned on filing of PF etc. by the defendant.

To come up for payment of cost and for PE on 09.01.2019

(Sanjay Sharma-I)
Addl. District Judge-02(East)
Karkardooma Courts- 02.11.2018