

02.09.2023

Pr: Sh. Manish Kumar, proxy counsel for the plaintiff.

Ld. Counsel for plaintiff submits that an application under Order V Rule 20 read with section 151 of CPC is pending for disposal.

Plaintiff's counsel prays for service of the defendant through the substituted mode by way of publication.

Heard. Perused.

For the reasons as mentioned in application, the same stands disposed off as allowed.

Let the defendant be served by the mode of publication in the newspaper "Amar Ujala" on filing of PF. Publication charges be deposited.

List on 04.11.2023.

(POOJA JAIN)
ADJ-03(East)
KKD Courts-02.09.2023

MILIND RAVINDRANATH KARI Vs. NIDHI SHARMA

02.09.2023

Pr: Sh. Atul Singh, counsel for plaintiff, through VC.

Process issued to the defendant received back unserved.

Issue fresh summons to the JD on filing of PF/RC/Speed
Post/Authorized Courier for NDOH.

Put up on 17.10.2023.

(POOJA JAIN)
ADJ-03(East)
KKD Courts-02.09.2023

CS 249/23

RAM KISHOR VERMA Vs. SAKEEL AHMAD

02.09.2023

Pr: Sh. Ankush Sharma, counsel for the plaintiff.

At request of Id. Counsel for plaintiff, put up for arguments on pending application under Order VI Rule 17 CPC, on 04.10.2023.

(POOJA JAIN)

ADJ-03(East)

KKD Courts-02.09.2023

02.09.2023

Pr: Sh. Ravinder Tiwari, counsel for the plaintiff with plaintiff.

Ld. Counsel for plaintiff files court fee, same is taken on record.

Heard. File perused.

This is suit for recovery. Issue summons of the suit to the defendants on filing PF & RC as well as through speed post and authorized courier for NDOH.

Put up on 30.10.2023.

(POOJA JAIN)
ADJ-03(East)
KKD Courts-02.09.2023

MISC DJ 158/23
TILAK RAJ Vs. SURESH KUMAR

02.09.2023

Pr: Applicant in person.

Applicant submits that his counsel is not available due to illness and hence adjournment is sought.

Main file be called.

At request of applicant, put up on 07.10.2023.

(POOJA JAIN)
ADJ-03(East)
KKD Courts-02.09.2023

02.09.2023

Pr: Sh. Sachin Sharma, counsel for the plaintiff.

Ld. Counsel for plaintiff seeks adjournment to file few judgment in support of this case.

At request, put up for clarification, if any/order on maintainability on 21.09.2023.

(POOJA JAIN)
ADJ-03(East)
KKD Courts-02.09.2023

02.09.2023

Pr: Sh. Manish Kumar, proxy counsel for the plaintiff.

None for the defendant.

No PW present.

Evidence by way of affidavit of PW Rakesh filed, same is taken on record. Spare copy of same is also filed on record to be supplied to the defendant.

At request of ld. Proxy counsel for plaintiff, put up with the connected matter on 04.11.2023.

(POOJA JAIN)
ADJ-03(East)
KKD Courts-02.09.2023

02.09.2023

Pr: Sh. R.K. Mishra, Ld. Counsel for the plaintiff with plaintiff.

Sh. Naresh Kumar, Ld. Counsel for the defendant with defendant.

PW1/plaintiff in person.

Ld. Counsel for plaintiff seeks adjournment as he is not feeling well.

At the request of ld. Counsel for plaintiff, put up for PE on 13.10.2023.

(POOJA JAIN)

ADJ-03(East)

KKD Courts-02.09.2023

02.09.2023

Pr: Sh. R.K. Mishra, Ld. Counsel for the plaintiff with plaintiff.

Sh. Naresh Kumar, Ld. Counsel for the defendant with defendant.

PW1/plaintiff in person.

Cross-examination of PW1 Smt. Payal concluded. Vide separate evidence of the plaintiff PE stands closed.

Put up for DE on 13.10.2023.

(POOJA JAIN)

ADJ-03(East)

KKD Courts-02.09.2023

KANWAL KISHORE WADHWA Vs. MADAN MOHAN VERMA

02.09.2023

Pr: None for the plaintiff.

Sh. Shubham Sharma, proxy counsel for the defendant.

No DW present.

Evidence by way of affidavit of DW Madan Mohan Verma filed, same is taken on record. Spare copy of the same is also filed to be supplied to the plaintiff.

Ld. Proxy counsel for the defendant seeks an adjournment.

At request of proxy counsel for defendant, put up for DE on 18.10.2023.

(POOJA JAIN)

ADJ-03(East)

KKD Courts-02.09.2023

02.09.2023

Pr: Sh. Vibhor Jain, brother in law of plaintiff in person.

Sh. Sanjay Goel, proxy counsel for the defendant.

Ld. Proxy counsel for defendant submits that main counsel could not appear today before this court due to illness and hence adjournment is sought.

Last and final opportunity is granted to the counsel for defendant to argue. Put up for arguments on leave to defend application on 07.10.2023.

(POOJA JAIN)
ADJ-03(East)
KKD Courts-02.09.2023

02.09.2023

Pr: Sh. Vibhor Jain, son of plaintiff in person.

Sh. Sanjay Goel, proxy counsel for the defendant.

Ld. Proxy counsel for defendant submits that main counsel could not appear today before this court due to illness and hence adjournment is sought.

Last and final opportunity is granted to the counsel for defendant to argue. Put up for arguments on leave to defend application on 07.10.2023.

(POOJA JAIN)
ADJ-03(East)
KKD Courts-02.09.2023

02.09.2023

Pr: Sh. Vibhor Jain, laintiff in person.

Sh. Sanjay Goel, proxy counsel for the defendant.

Ld. Proxy counsel for defendant submits that main counsel could not appear today before this court due to illness and hence adjournment is sought.

Last and final opportunity is granted to the counsel for defendant to argue. Put up for arguments on leave to defend application on 07.10.2023.

(POOJA JAIN)

ADJ-03(East)

KKD Courts-02.09.2023

02.09.2023

Pr: Sh. Vibhor Jain, plaintiff in person.

Sh. Sanjay Goel, proxy counsel for the defendant.

Ld. Proxy counsel for defendant submits that main counsel could not appear today before this court due to illness and hence adjournment is sought.

Last and final opportunity is granted to the counsel for defendant to argue. Put up for arguments on leave to defend application on 07.10.2023.

(POOJA JAIN)
ADJ-03(East)
KKD Courts-02.09.2023

02.09.2023

Pr: Sh. Vibhor Jain, son of plaintiff in person.

Sh. Sanjay Goel, proxy counsel for the defendant.

Ld. Proxy counsel for defendant submits that main counsel could not appear today before this court due to illness and hence adjournment is sought.

Last and final opportunity is granted to the counsel for defendant to argue. Put up for arguments on leave to defend application on 07.10.2023.

(POOJA JAIN)
ADJ-03(East)
KKD Courts-02.09.2023

02.09.2023

Pr: Sh. Narendra Bhandari, ld. Counsel for the appellant with appellant.

Sh. Narender Thakur, ld. Counsel for respondent.

At joint request, put up for arguments on 21.10.2023.

(POOJA JAIN)

ADJ-03(East)

KKD Courts-02.09.2023

02.09.2023

Pr: Sh. Narender Thakur, Id. Counsel for the appellant with appellant.

Sh. Narendra Bhandari Id. Counsel for respondent.

At joint request, put up for arguments on 21.10.2023.

(POOJA JAIN)

ADJ-03(East)

KKD Courts-02.09.2023

TARA CHAND MONGA Vs. SUB DIVISIONAL MAGISTRATE

02.09.2023

Pr: Sh. R.N. Dubey, Ld. counsel for the appellant with appellant.

None for the respondent.

Put up for arguments on appeal on 07.10.2023.

(POOJA JAIN)

ADJ-03(East)

KKD Courts-02.09.2023

02.09.2023

PW.1 MS. PAYAL, RECALLED FOR HER CROSS-EXAMINATION IN
CONTINUATION OF HER EARLIER STATEMENT RECORDED
ON 26.04.2023.

ON S.A.

XXXBY Sh. Naresh Kumar, counsel for the defendant.

I know the contents of my affidavit Ex.PW.1/A. My affidavit was got prepared by my counsel. It was prepared in the office of my counsel in Tis Hazari Court. At the time of execution/attestation of my affidavit, I was present. I know Ravi Pathak defendant for the last more than ten years as he was visiting terms with us. I do not know about the number of children of defendant. Defendant is married person. I do not know his address but now I know he is residing at Noida. I never went to his residence at Noida. Defendant is having a factory. It is wrong to suggest that I do not know the defendant personally. Younger brother of my husband is having some dealing with the defendant and defendant has to pay some amount to younger brother of my husband. I do not know as to how much amount defendant has to pay to him.

I am a house wife. I am getting rental income from my house. I am not Income Tax Payee. I am having saving bank account. I had given the loan to the defendant from my saving and same was not withdrawn from the bank. I used to keep at least Rupees Five Lakhs in liquidity with me. The loan amount was given in cash to the defendant by me at my house. The denomination of cash amount was Rs.100/-, Rs.200/- and Rs.500/-. I had not given any loan to any other person except defendant, as I know him. My husband had also not

given any loan to any other person except the defendant, as defendant known to him. I do not know about all dealings of my husband. At the time of giving the loan to the defendant, myself, my husband and my children were present at my house. As per terms and conditions of loan, defendant had to make the payment of Rs.5-6,00,000/- including the interest. The exact amount to be returned by the defendant, is not mentioned anywhere.

At the time of taking loan by the defendant, defendant has signed the pro-note form, agreement and given four cheques. The pro-note Ex.PW1/1 and all the four cheques were duly filled by the defendant. It is wrong to suggest that pro-note form Ex.PW. 1/1 and Ex.PW.1/2, were given to Vishal, younger brother of my husband and same were not duly filled as Vishal wanted to show his creditors that he is expecting to get some money from the defendant. It is wrong to suggest that document Ex.PW.1/1 and Ex.PW.1/2 were misused.

At this stage, photo copy of cheque bearing No. 080962 is shown to witness and witness is asked whether this copy of cheque is of the cheque given to her. After seeing the copy of cheque bearing No. 080962, witness replied that this copy of cheque is not exactly the same which was given to her. Copy of cheque bearing No. 080962 is marked as Mark 'A'.

I and my husband have given total loan amount of Rs.9,50,000/- i.e. Rs.4,00,000/- by me and Rs.5,50,000/- by my husband. I had not deposited the cheques for encashment as defendant had made a call that cheque be not deposited as there is no fund in his account. After that I have returned all the four cheques to the defendant. I handed over the cheques to my brother in law who had returned the same to the defendant. I do not know where he had returned the cheques to the defendant.

My husband is doing the work of Furniture and also engage in the husband of property dealer, having the office in Block No. 3 Geeta Colony,

Delhi. My husband is not engaged in the business of Gambling. I do not know whether any FIR registered against my husband in Gambling case. I cannot say anything about the difference of date Ex.PW.1/2 and details of cheques mentioned in legal notice Ex.PW.1/3 and also in the plaint.

It is wrong to suggest that the pronote form and cheques were not handed over to me or that these were given to the brother of the defendant. It is wrong to suggest that there is no liability of defendant towards me. It is wrong suggest that there is no dealing with me and the defendant. It is wrong to suggest that documents Ex.PW.1/1 and Ex.PW.1/1 have been misused by me. It is wrong to suggest that I am deposing falsely.

RO&AC.

(POOJA JAIN)
ADJ-03(East)
KKD Courts-02.09.2023

CS 622/21

SMT. PAYAL Vs. RAVI PATHAK

02.09.2023

Statement of plaintiff Smt. Payal w/o Sh. Inder Kumar, age 40 years, r/o H. No.1 Old Geeta Colony, Delhi.

On S.A.

I am the plaintiff in the present suit. I close my plaintiff's evidence in affirmative.

RO&AC.

(POOJA JAIN)

ADJ-03(East)

KKD Courts-02.09.2023