

DEVENDER KUMAR GAUTAM Vs. SUDHA

06.03.2026

Present: Sh. Hiteshwar Tyagi, Ld. Proxy counsel for the plaintiff.

None for the defendants.

An application under Order XVIII Rule 17 CPC for providing an opportunity to cross examine PW-1 filed by defendants is pending adjudication. Reply of plaintiff is also on record. None appears for the defendants today. It is already 12.00 Noon.

Arguments heard on behalf of plaintiff. Record perused.

On 11.02.2025, Ld. Predecessor had closed the right of the defendants to cross examine PW-1 as Ld. counsel for defendant had not appeared despite the matter being called five times. In the application, it is stated that the counsel for the defendants had proceeded for this court, however, suddenly due to high blood pressure, he had to leave the Court. Ld. Counsel for the plaintiff opposes the application on the ground that no medical document in support of the aforesaid averment has been filed on record.

Considering the ill health of Ld. Counsel for the defendants and in the interest of justice, the application in hand,

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is allowed subject to cost of Rs.1000/- to be paid to the plaintiff.
Only one opportunity will be granted to the defendants to
conclude entire cross examination of PW-1 on the next date.

Renotify the matter for cross of PW-1/DE/cross on
14.04.2026.

(SHUCHI LALER)
District Judge-02 (East),
Karkardooma Courts/06.03.2026