

11 CS No. 83/16
Vandana Srivastava Vs. Neetu Jain & Ors.

05.03.2025

Present : Sh. Vishal Sharma & Ms. Nisha Singh, Ld. Counsel for plaintiff with plaintiff.
Sh. Manish Gandhi, Ld. Counsel for defendant no. 1 with defendant no. 1.
None for defendant no. 2 despite repeated calls.

In pursuance of order dated 08.04.2024 PW-1 has been further examined-in-chief.

At this stage, it is submitted by Ld. Counsel for defendant no. 1 that it is the defendant no. 2 who is admittedly in partial support of the plaintiff's case who has to cross-examine the witness first and that he will cross-examine the witness only after the completion of cross-examination by defendant no. 2. Reliance is placed upon judgment on regard on *Shah Hiralal Himatlal and others v. M.G. Pathak and others* decided on 01.04.1963 by Hon'ble High Court of Gujarat.

Neither the defendant no. 2 is present despite repeated calls nor his counsel is present. Further, Ld. Counsel for defendant no. 1 submits that he has to rush to appear before the Hon'ble High Court qua the pending criminal appeal which is listed today itself between both parties. In these circumstances, put up for completion of testimony of PW-1 positively on the next date of hearing. No further opportunity be granted to any of the parties on any ground whatsoever beyond the next date of hearing. Now to come up for the same on 03.05.2025.

(Manu Vedwan)
District Judge-02/North-East,
KKD Courts, Delhi/05.03.2025