

13.03.2026

Present: Ms. Ankita Kashyap and Sonia, Ld. Counsel for plaintiff with plaintiff.  
Mr. Vipin Kumar Gupta, Ld. Counsel for D-1.  
D-2 and D-4 in person.  
None for D-3.

PW-1 Mr. Mukesh Kumar examined in chief. Despite opportunity, Counsel for D-1 has refused to cross-examine the witness on the ground that he has not been supplied the entire paper book. I may note that all the defendants including D-1 were served through ordinary modes on 07.07.2025 and till today no objection has been taken by any of the defendants qua non-supply of paper book or deficiency therein.

It appears that only because D-1 does not wish to cross-examine the witness, a plea is raised about deficiency of paper book to seek adjournment. The same cannot be permitted. I may note that D-1 has not even filed his written statement and his right to file written statement already stands closed vide order dated 10.09.2025, which has never been challenged till date.

Thus, after giving due opportunity to D-1 to cross-examine the witness (which opportunity has not been availed), the witness/PW-1 has been allowed to step down from the witness box.

Counsel for plaintiff, on instructions, submits that plaintiff does not wish to lead any further PE.

Thus, PE stands closed.

Since there is no written statement of D-1 on record and since D-2 to D-4 have already stated before this Court that they are supporting the case of plaintiff for partition, there is no need to fix the

matter for defence evidence. Accordingly, to come up for final arguments on 25.03.2026.

Aashish Gupta  
DJ-01/NE/KKD/DELHI  
13.03.2026