

CS78/20  
BABITA Vs. DEEP CHAND @ DEEPU

25.10.2024

Present: Ld. Counsel for plaintiff with plaintiff.  
Ld. Counsel for defendant No. 4 and D-5.  
Other defendants are ex-parte.

Counsel for D-4 and D-5 has moved an application U/O IX Rule 7 CPC seeking setting aside of ex-parte proceedings ordered against D-4 and D-5 on 16.08.2024. Copy supplied.

Counsel for plaintiff, on instructions, submits that he has no objection in case the said application is allowed subject to some cost.

Considering the facts stated in the application and the concession given by Counsel for plaintiff, application is allowed and ex-parte proceedings against D-4 and D-5 ordered on 16.08.2024 are set aside subject to cost of Rs. 1000/- to be paid to plaintiff. Cost paid. Application is disposed of.

At this stage, Counsel for D-4 and D-5 prays that PW-1 may be recalled for her cross-examination as she was examined after 16.08.2024. Considering the proceedings above, list for cross-examination of PW-1 and remaining PE on 17.01.2025 and 18.01.2025. It is clarified that only one opportunity is given to D-4 and D-5 to cross-examine PW-1.

Aashish Gupta  
DJ-01/NE/KKD/DELHI  
25.10.2024