

CS 129/21
MOHD. MEHARBAN Vs. MOHD. IDRISH

01.06.2026

Present: Ld. Counsel for plaintiff.
Ld. Counsel for D-1 and D-2.
D-3 is ex-parte.

1. On 16.03.2026, following order was passed.

"Despite this being the second block date given to the defendants for filing evidence, no evidence affidavit is filed. Now a third opportunity is sought by the defendants to lead DE.

Subject to cost of Rs. 5000/- to be paid to the plaintiff, last and final opportunity is granted to the contesting defendants to lead DE.

Date of 17.03.2026 is cancelled.

Let affidavit in evidence of all defence witnesses be filed within 4 weeks from today with advance copy to other side, failing which defendants shall pay a further cost of Rs. 10,000/- to the plaintiff.

On such payment, contesting defendants shall have a further time of 4 weeks to file their affidavits.

List for DE on 01.06.2026 and 02.06.2026."

2. Neither any evidence is filed nor any cost is paid. Defendants seek another opportunity on the ground that the witness was not well. No document in this regard is filed. On query of the Court, it is claimed that D-1 was suffering from blood pressure. (Counsel is not allowing the court to dictate the order. She is requested to allow the court to at least dictate the order).
3. Record shows that multiple dates have been given to the contesting defendants to lead DE and till today, no evidence is filed. The claim that D-1 was suffering from blood pressure is not supported by any document. It was then argued by the Counsel that she suffered a bereavement in her family in end of April, 2026. This does not explain the non-filing of evidence

before or after the said period. Thus, the request of Counsel for defendants to adjourn the matter is declined.

4. Despite sufficient opportunities, defendants have not led any evidence. Thus, DE is closed.
5. List for final arguments on 27.07.2026.
6. Date of 02.06.2026 is cancelled.

Aashish Gupta
DJ-01/NE/KKD/DELHI
01.06.2026