

CS 238/23

CHANDRA PAL SHARMA Vs. PUSHPA KANDPAL

12.02.2026

Present: Mr. Vivek Kumar Karan, Ld. Counsel for plaintiff.
Ld. Counsel for defendant.

Counsel for defendant seeks an adjournment on the ground that defendant would like to examine one Sachidanand Singh to prove a payment receipt already exhibited as Ex. PW1/D1. Request for adjournment is opposed by the Counsel for plaintiff who points out that for the examination of the same witness, at least 2 opportunities have already been given. He submits that till date even the affidavit in evidence of the said witness has not been filed.

Counsel for defendant submits that the witness is in Bihar and is taking care of his ill mother.

Perusal of record shows that at least 2 block dates were given in the matter for completing DE including the evidence of Sachidanand. They were 16.10.2025/17.10.2025 and 01.12.2025/02.12.2025. On neither of the block dates, the witness appeared or his affidavit was filed. No such affidavit of the witness has been filed till date. Sufficient opportunities have been given to the defendant to examine the said witness and the matter cannot be endlessly adjourned for examination of one witness. I may note that for the receipt Ex.PW1/D1 (qua which witness Sachidanand is sought to be examined by defendant) another witness Suresh Chand/DW-3 has already been examined. Thus, witness of same fact has been examined by defendant qua the document for which Sachidanand is stated to be required.

Considering the above, the request for adjournment is declined. Right of defendant to examine Sachidanand is closed. Defendant does not wish to examine any other witness. DE is closed.

List for final arguments on 11.03.2026.

Aashish Gupta
DJ-01/NE/KKD/DELHI
12.02.2026