

26.08.2025

Lawyers are abstaining from work today.

Present: Plaintiff in person.
Defendant in person.

1. Plaintiff has moved an application on 06.08.2025 seeking review of order dated 04.01.2025 whereby D-2/Kiran Pal was deleted from the array of parties on an application moved by D-2 u/O I Rule 10 CPC. In the same application, plaintiff has also prayed for initiating action u/s 379/215 BNSS also. Copy supplied.
2. I have gone through the entire application and in the same there is no plea which shows any error apparent on the face of the order dated 04.01.2025 so as to give a ground to plaintiff to seek review of the said order. Again, nothing has been stated in the application which came to the notice of plaintiff later (despite earlier diligence) which may make out a case for review of order dated 04.01.2025.
3. In substance, plaintiff claims that certain affidavits produced before this court by D-2 earlier are fabricated.
4. Vide order dated 04.01.2025, *inter alia* application of D-2 u/O I Rule 10 CPC was allowed and he was deleted from the array of parties. Presuming, for the same of arguments, that any purported affidavit filed by D-2 before this court is fabricated, the same shall not mean that the order of deletion of D-2 from the array of parties is liable to be reviewed. Thus, the application is without any merit.
5. As far as the prayer of taking any criminal action against D-2 is

concerned, since he is not even a party to this suit at this stage, in my humble opinion, there is no need of initiating any action against him. In case plaintiff wishes to take any action against D-2 for any alleged forgery, she is at liberty to take action as per law.

6. Accordingly, the application for review moved on behalf of applicant/plaintiff is dismissed.
7. Defendant has moved an application seeking waiver of cost. Copy supplied.
8. Rupees 3,000/- was imposed on defendant on last date as her counsel did not cross-examine the witness/plaintiff despite opportunity. Defendant submits that owing to *Mahashivratri* festival, all roads were blocked and she could not reach court to instruct her counsel properly. She prays that in view of the above, cost be waived. In the interest of justice, cost is waived subject to the condition that only one opportunity is given to defendant to cross-examine plaintiff witness. Application is disposed off.
9. List on 20.11.2025.

AASHISH GUPTA
DJ-01/NE/KKD/DELHI
26.08.2025