

01.12.2025

(Proceedings conducted through hybrid mode)

Present: Ms. Nikita, Ld. counsel for plaintiff.
Sh. Pratap Paliwal, Ld. counsel for D-1 to D-4 and D-8
through VC.
D-5 to D-7 are ex-parte.

Request for adjournment made on behalf of contesting defendants on the ground that their witnesses namely Sabir Ali and Rahisuddin are not well.

Multiple opportunities have already been given to the contesting defendants to examine the said witnesses. In this regard, reference can be had to order dated 24.07.2025 and 27.09.2025. It is claimed before this court that while Sabir Ali has suffered a fracture, Rahisuddin is unwell. Perusal of the aforesaid orders and timeline granted to the defendants would show that defendants had sufficient time to file the affidavit of evidence of both the witnesses, if the defendants wanted to examine them.

Perusal of last order sheet would show that the affidavits in evidence of the said two witnesses was to be filed at least 15 days prior from today. Presuming that the said two witnesses are indisposed today, it does not explain why their affidavits in evidence have not been filed since 07.02.2025 when the defence evidence opened.

In such circumstances and keeping in mind the fact that today was the final opportunity to the contesting defendants given for examination of aforesaid witnesses, no further opportunity can be given to

the contesting defendants. Accordingly, the right of contesting defendants to examine Sabir Ali and Rahisuddin is closed. No other witness is sought to be examined on behalf of the contesting defendants and thus, stands closed.

List for final arguments on 08.01.2026.

AASHISH GUPTA
DJ-01/NE/KKD/DELHI
01.12.2025