LAC - 120/16
Daryao Singh Ors. Vs. Union Of India

15-03-2021

Present: Sh. Amit Mathur, Proxy counsel for the petitioner.

Ms. Mamta Tiwari, proxy counsel for Sh. Vinay Kumar, counsel for UOI/R-1.

None for R-2.

Vide order dated 22-07-2015 passed by ld. Predecessor of this court. The defence of R-2 is already struck off. Therefore, there is no occasion for R-2 to lead evidence.

While going through the record, it is noticed that on 22-07-2015 issues were framed by ld. Predecessor of this court and matter was fixed for PE for 09-11-2015. On 09-11-2015, no PW was present. Therefore, the matter was again put up for PE on 20-01-2016. Perusal of the order dated 20-01-2016 passed by ld. Predecessor of this court reveals that that day, no DW was present. Accordingly, matter was fixed for DE. As such, no PE is lead in the present case. Surprisingly, the petitioner himself has also not brought this fact in the notice of this court. At this stage, counsel for the petitioner makes an oral prayer that the petitioner may be granted only one opportunity to lead evidence. Counsel for the R-1 has no objection to the same. In view of the foregoing discussion and to expedite the matter, request is allowed and the petitioner is given one opportunity to lead the entire PE on the next date of hearing.

Put up for PE on 19-05-2021.

(Pankaj Gupta)
ADJ-1(North)/Delhi/15-03-2021