

CS DJ 185/20

SATISH KUMAR Vs. NIRANJAN BHARADWAJ

03.09.2025

Present: Sh. Ashish Sharma, counsel for the plaintiff.
Sh. Sunil Dahiya, counsel for the defendant.
Be awaited.

(VIKRAM BALI)
DISTRICT JUDGE-2/NORTH/ ROHINI
COURT/DELHI/03.09.2025

At 12.43 p.m.

Present: Sh. Ashish Sharma, counsel for the plaintiff.
Sh. Sunil Dahiya, counsel for the defendant.

Counsel for the plaintiff has filed an application dated 03.09.2025 u/s 151 CPC. Prayer is for examination of additional witnesses as per new list of witnesses dated 29.04.2025. The present application is stated as an application order 16 rule 1 (3) CPC.

It is argued by the counsel for the plaintiff that earlier witnesses as per list of witnesses dated 23.08.2022, are not appearing so, Sh. Jamil and Sh. Sumit, new witnesses are required to be examined.

Per contra, counsel for the defendant states that present application is without merits and the same be dismissed.

It is further argued that by the name of Sh. Jamil and Sh. Sumit were not earlier mentioned, is not clear.

Heard. File perused.

As per amended plaint, plaintiff has filed suit for Declaration, Permanent and Mandatory injunction. Reasons stated in the application dated 03.09.2025 constitutes sufficient cause within the

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meaning of order 16 Rule 1 (3) CPC. The fact that earlier mentioned witnesses are unable to appear so, new witnesses are sought to be examined, is sufficient. **Omission by plaintiff is not malafide. List of witnesses dated 29.04.2025 is taken on record and plaintiff is permitted to examine the witnesses stated therein, as per law.**

PW-3 Sh. Jamil and PW-4 Sh. Sumit have been examined in chief, cross-examined and discharged.

At request of the counse for the plainiff, to come up **for PE, if any** with advance copy thereof to the opposite counsel at least one week prior to the next date of hearing, on **03.11.2025**.

(VIKRAM BALI)
DISTRICT JUDGE-2/NORTH/ ROHINI
COURT/DELHI/03.09.2025