

30.01.2026

Present : Mr. Tapeswar Vats, Ld. Counsel for plaintiff alongwith plaintiff
as PW-1 in person.

Mr. Jai Ram Garg, Ld. Counsel for defendants.

Mr. Koshinder, JJA from the court of Mr. Amit Sahrawat, Ld. ASJ-01 (POCSO), North, Rohini Courts is present. It is submitted by the plaintiff that the said witness is required to be examined.

Said submission of plaintiff is opposed by Ld. Counsel for defendant and attention of this court is drawn that even this witness has not been allowed to be examined so far.

Record perused.

Submission of Ld. Counsel for defendant is correct. Accordingly, witness is discharged, however, expenses for the day are directed to be paid to the witness by the plaintiff. Same are paid by the plaintiff.

PW-1 Mahtab Singh is further cross examined in part. It had already taken more than one hour. Hence, **further cross examination is deferred and considering that ample time has already been granted but the cross examination is still taking time, therefore, balancing the scales of justice and for curbing the delay into the proceedings, further cross examination of PW-1 is directed to be recorded through Ld. Commissioner.** Accordingly, **Mr. Chandra Bose, Retd. DHJS, having mobile number 9910384722, is hereby appointed as Commissioner for recording of cross-examination of PW-1 Mr. Mahtab Singh, to be recorded in Library Room, Rohini Courts, as per provisions u/o 18 Rule**

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4 CPC for the fees of Rs. 7000/- per sitting, to be shared proportionately by the contesting parties and to be paid in advance and it is further clarified that :-

1. Ld. Commissioner may record such remarks as he thinks material respecting the demeanor of any witness under examination and any objection raised during the recording of evidence shall be recorded by him, to be decided by this Court at the stage of arguments but subject to the decision to be made by this Court in regard to the objection, the evidence shall be continued to be recorded completely.
2. If any document are produced/put during the course of the cross-examination, it shall be duly exhibited and attached with the case proceeding by Ld. Commissioner under his signature. Short description of said document should be mentioned in daily proceedings and further document shall be handed over to the official of this Court producing the file.
3. Ld. Commissioner ought to prepare daily proceeding sheet for every hearing and this sheet alongwith the evidence recorded on that day, should simultaneously provide concerned parties as well as officials of this Court.
4. Evidence shall be recorded by Ld. Commissioner on day to day basis commencing from **18.02.2026 at 2.30 PM** and recording of the evidence shall not be adjourned without sufficient reasons appearing to be beyond the control of party concerned.
5. The expenses towards fees of Ld. Commissioner shall be treated as cost of the suit/defence at the time of final disposal of suit.
6. Plaintiff shall make the arrangement for the stenographer to get the evidence typed and printed in advance.

Now, parties are directed to appear before Ld. Commissioner on 18.02.2026 at 2.30 pm.

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Ahlmad of the court is also directed to provide access to the file in his presence to the Ld. Commissioner, Ld. Counsels and witness for execution of this commission and diet money of Rs. 2000/- is directed to be paid to the Ahlmad which shall be shared proportionately by both the parties.

Put up for report of Ld. Commissioner before this Court and for further proceedings for **20.07.2026.**

Copy of this order be given dasti to Ld. Commissioner and both the parties/Ld. Counsels.

(Aanchal)
District Judge-03, Rohini Courts
North District, Delhi
30.01.2026 (jy)