

SUNITA AGGARWAL Vs. DAYA AGGARWAL**19.01.2023**

Present: Ms. Rashmi Jain, Ld. Counsel for plaintiff.

Defendant with Ld. Counsel, Sh. Amit Goswami.

Replication is filed by Ld. Counsel for plaintiff.

Copy of the same is supplied to Ld. Counsel for opposite party.

Affidavit of the defendant qua admission/denial of documents is filed. Copy of the same is supplied to Ld. Counsel for opposite party.

The document Ex. C-1 is shown to the defendant and after seeing the same, she stated that writing from Point A to A-1 is not in her handwriting and signatures at Point B are not made by her.

It is stated that pleadings are complete.

Submissions heard on the settlement of issues.

From the submissions and pleadings of the parties, following issues are framed as arises:-

(1) Whether the document Ex. C-1 is not in the handwriting of defendant and signatures are not of her ? OPD

(2) If Issue no. 1 is decided against the defendant, for what amount, plaintiff is entitled to recover from her ? OPP

(3) Relief.

No other issue arises or pressed for. The counsels appearing for the parties stated that there is no likelihood of the settlement of matter between the parties at this stage, as such,

..2..

there is no use of referring the parties to adopt ADR means. List of witnesses be filed within 15 days by the parties.

It is stated that as the onus to disprove the promissory note/receipt is upon the defendant, let she be asked to lead evidence first.

Ld. Counsel for defendant stated that defendant will lead the evidence first.

In the facts, put up for defendant's evidence for **19.04.2023**. The chief examination of witnesses will be by way of affidavit and advance copy of same be supplied to opposite party/counsel at least 15 days prior to next date of hearing.

(SUNIL CHAUDHARY)
ADJ-04/North-West
RHC/Delhi 19.01.2023