

Kamlesh Aggarwal Vs. Naresh Rani & Anr.
CS no. 578660/16

15-05-2018

Present: Plaintiff in person with Sh. Rahul Sharma, advocate
 D-2 in person with Sh. Gopal Tyagi, advocate

Affidavit of plaintiff filed as examination in chief. Copy supplied.

At this stage, both counsels have requested for appointment of Local Commissioner for recording evidence so that trial may be expedited.

Considering the pendency of old matters in the docket of the Court and to expedite the trial for recording of the evidence of the witnesses, Sh. Praduman Rai, advocate, Chamber No. 505, Vth Floor, Lawyer's Chambers Block, Rohini Court Complex, Delhi, present in the court, is appointed as Court Commissioner to record the statement of the witnesses of the parties.

The evidence shall be recorded by the Court Commissioner in his chamber and parties will assist him and will ensure presence of the parties, witnesses and counsels for examination. The first date for appearance before the court commissioner for recording the evidence of the witnesses is fixed as 29-05-2018 at 2:30 pm and efforts will be made to record the statement of the witnesses on day-to-day basis and further dates will be fixed by the Ld. Court Commissioner with the consent of the parties. After completion of plaintiff's witnesses, affidavits of defendant's witnesses will be filed and the witnesses will be examined before the Ld. Local Commissioner.

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In case, if a party is desirous to produce any document during the cross-examination of the witnesses then, the same will be taken on file by the Ld. Court Commissioner subject to order of the court later on and its copy will be supplied to the opposite party.

Objection raised by the party will be recorded to be decided by the court at appropriate stage.

Uncertified copy of the evidence will be supplied to the parties concerned. If there is need for issuance of summons to any witnesses then, parties will approach the court for issuance of the summons to the witnesses to appear before the Ld. Court Commissioner well in time so that witnesses may appear and may be examined. If any party makes two consecutive default in appearance, the Court be intimated.

The fee / remuneration of the Ld. Court Commissioner for recording the evidence of the witnesses is fixed at Rs. 2,500/- per hearing and fee/remuneration will be borne by the plaintiff which shall be considered as cost of the suit.

Judicial Assistant will provide the file to the Ld. Court Commissioner, as and when asked. If any further clarification is required, then, parties will approach the court within reasonable time.

The matter is adjourned for 01-09-2018 awaiting report of evidence.

(SUNIL CHAUDHARY)
ADJ-03 (N/W) ROHINI COURTS
DELHI: 15-05-2018