

M/s Bhumika Ispat Udyog Pvt. Ltd. vs. Devender Gupta

CS No. 77342/16

26.10.2017

Present : Sh. Ankit Gupta, learned Counsel for the plaintiff.

Defendant in person along with proxy Counsel Sh. Renu Bala.

At this stage, the defendant has moved an application u/s 151 CPC praying therein to recall the order dated 28.08.2017 whereby the cross examination of PW1 was treated as “Nil, opportunity given”. Copy supplied.

The learned Counsel for the plaintiff submits that he does not want to file any reply to the application under reference and has “no objection” if the application under reference is allowed subject to heavy cost.

Accordingly, in view of the cause submitted in the application and “no objection” accorded by the learned Counsel for the plaintiff, the application under reference is allowed subject to imposition of cost of Rs. 7500/- upon the defendant. Consequently, order dated 28.08.2017 whereby the cross examination of PW1 was treated as “Nil, opportunity given”, is set aside. The application under reference accordingly stands disposed of.

Put up for cross examination of PW1 and for remaining PE on 08.01.2018.

(RAJNISH BHATNAGAR)
Distt. & Sessions Judge (N/W)
Distt. Court Rohini, Delhi
26.10.2017