

Item No.09

CS DJ No.10406/2016
Surender Vs. Ajaybir & Anr.

16.03.2026

Present: None for plaintiff.

**Sh. Deepak Bidhuri & Sh. P.C. Das, learned
counsel for defendant no.1 alongwith defendant
no.1.**

**Sh. Rajiv Bhardwaj, learned counsel for defendant
no.2.**

Submissions heard. Record perused.

Plaintiff be awaited till 01.00 P.M.

**[Kuldeep Narayan]
DJ-02, South-East,
Saket Court, New Delhi
16.03.2026/sk**

At 01.10 P.M.

Present: None for plaintiff.

**Sh. Deepak Bidhuri & Sh. P.C. Das, learned
counsel for defendant no.1 alongwith defendant
no.1.**

**Sh. Rajiv Bhardwaj, learned counsel for defendant
no.2.**

Submissions heard. Record perused.

As per the record, plaintiff/PW-1 was partly cross-examined on 14.10.2024. Subsequently, vide order dated 17.07.2025, adjournment was prayed on behalf of the plaintiff on the ground that plaintiff/PW-1 was not feeling well on the said

date. Accordingly, the case was adjourned for cross-examination of PW-1 on 24.11.2025.

On 24.11.2025, again adjournment was sought on the same ground that PW-1 was not feeling well. In view of the submissions, last and final opportunity was granted for plaintiff's evidence subject to cost of Rs.3,000/- to be paid to defendant no.1 and the case was adjourned for plaintiff's evidence on 16.03.2026 i.e. today.

Today also, nobody has appeared on behalf of the plaintiff since morning.

On perusal of the record, it is revealed that earlier also, the costs were imposed upon the plaintiff on various occasions. It appears that the plaintiff is not diligent enough to prosecute the present suit.

In the given circumstances, the plaintiff's evidence is closed while making it clear that the testimony of plaintiff recorded earlier will not be taken into consideration.

List the case for D.E. on 06.07.2026.

**[Kuldeep Narayan]
DJ-02, South-East,
Saket Court, New Delhi
16.03.2026/sk**