

27LAC-4-22

RAHUL AGARWAL Vs. UNION BANK OF INDIA

28.05.2025

Present : Sh. Inder Singh, Ld. Counsel for petitioner.
Sh. Narender Kumar Mishra, Ld. counsel for UOI.
Ms. Promila Kapoor Ld. counsel for DDA.

1. Application under Section 151 CPC has been filed by Ld. counsel for DDA for recall of order dated 04.01.2023.
2. Ld. counsel for DDA has submitted that earlier a different counsel was appearing and instructions to file WS given to her. However, the same could not be filed in time and the right of filing of WS by DDA was closed on 04.01.2023. It is further submitted that WS of DDA is ready and DDA will file the same during the course of the day.
3. It is submitted by Ld. Counsel for petitioner that if the present application is to be allowed, the same be allowed with heavy cost.
4. Submissions heard. Application perused.
5. In view of submissions made and no objection on behalf of petitioner, the present application under Section 151 CPC is allowed and WS of DDA be taken on record.
6. Ld. counsel for DDA submits that no issue apart from the issues already framed on 04.01.2023, needs to be framed and she will take the onus of issues no.1 & 2 on respondent no.2 as well.
7. It is submitted by Ld. Counsel for petitioner that petitioner be called for his cross-examination on NDOH.
8. Let petitioner be present on NDOH for his cross-examination.

9. Let copy of affidavit in evidence along with documents, if any be supplied to DDA during the course of the day.
10. Ld. Counsel for petitioner submits that he be allowed to file replication. He further submits that he does not wish to press any other issue apart from the issues already framed.
11. In view of same, let replication be filed on or before NDOH with advance copy to the opposite side.
12. List for cross-examination of petitioner **for 09.07.2025.**

(Rahul Bhatia)
DJ-01 (South East) Saket Court
New Delhi/28.05.2025 (vg)