

01.02.2024
AT 12.21 PM

Present: Sh. Surender Partap, Mr. A.K. Dubey and Ms.
Preeti, Ld. Counsels for the plaintiff.
None for the LR's of defendant.

Ld. Counsel for the plaintiff filed original postal receipt, envelope returned and tracking report along with list of document. Same be taken on record.

Ld. Counsel for the plaintiff that plaintiff had complied with the order dated 31.10.2023 and sent the copies of evidence affidavit of Sh. Ramakant to the LR's of the defendant and were returned with the report.

None has appeared on behalf of LR's of defendant.

Summon sent to witness namely Ramesh Vashishta, Notary Public. As per the report, witness has been unserved.

Ld. Counsel for the plaintiff submits that he will move an appropriate application for summoning him.

PW3 examined. None has appeared on behalf of LR's of defendant therefore, their right to cross examine PW3 stands closed.

Ld. Counsel for the plaintiff submits that some more plaintiff witnesses are to be examined.

Plaintiff is directed to file evidence affidavits of all the remaining witnesses with an advance copy to the LR's of the defendant.

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At this stage, Ld. Counsel for the plaintiff presses his application under Order XXXIX Rule 1 and 2 r/w Section 151 CPC and application under Section 151 CPC for expert opinion filed on 16.11.2022.

Let a notice of the said applications be issued to the LR's of the defendant on filing of PF/RC/Courier, returnable for the next date of hearing.

In case of refusal/non-availability/lock, service be affected by affixation of summons at the address of the defendants.

Dasti summons be also issued.

Put up for PE and reply and arguments on the said applications on 20.03.2024.

(Deepanker Mohan)
Additional District Judge-04
Shahdara District/KKD Courts/Delhi
01.02.2024