

14 CS 1731/16

KRISHNA DEVI AND ANR Vs. BIJENDER PAL

20.12.2025

Present : Sh. J. K. Chawla, Ld. Counsel for Plaintiffs with Plaintiff
No 2.
Sh. Vinod Sharma, Ld. Counsel for Defendant.

Matter is listed today for further cross examination of
DW-1. DW-1 is present today.

It is jointly submitted that DW-1 Sh. Bijender Pal has not
been cross examined.

Ld. Counsel for Plaintiff submits that DW-1 could not be
examined despite the assistance of Interpreter, as Defendant /DW-1 is a
deaf and dumb person. Ld. counsel further points out that it has also
been stated by the other side that DW-1 is illiterate person. Ld. counsel
has raised query, as to how the evidence affidavit was filed by DW-1,
without understanding the same as he is an illiterate person and is a
deaf and dumb person.

Ld. Counsel for Defendant submits that when the evidence
affidavit was filed by DW-1, he was able to hear and the contents of
evidence affidavit were explained to him in vernacular language to him
and after hearing the responded through gestures and accordingly, the
evidence affidavit was prepared and filed on record.

Ld. counsel for plaintiff further submits that present suit is
filed for possession, permanent injunction and mesne profits against the
Defendant and material evidences are documentary in nature.

Ld. Counsel for Defendant submits that now, the brother of the defendant may be examined as defence witness and seeks adjournment for this purpose. He seeks some time to move an appropriate application.

Ld. Counsel for Plaintiff also seeks adjournment to inspect the file.

Put up for RDE on **18.03.2026**.

(MOHAMMAD EHTESHAM)
District Judge-03 (Shahdara),
KKD Courts, Delhi. 20.12.2025