

21 CS 1904/16

K.L. KATYAL Vs. SHAKUNTALA RANI AND ANR

08.07.2024

Present: Sh. Aakash and Sh. Krishan Mathur, Id. Counsels for plaintiff.
Sh. Amit Bhatnagar, Id. Counsel for defendant with Sh. Jitender Malhotra / witness.

Matter is listed for DE today.

Counsel for plaintiff submits that he has been recently engaged and he will file his vakalatnama during the course of day.

Perusal of record shows that on the LDOH, some other counsels had appeared for plaintiff with the same plea that he has been recently engaged and had sought adjournment on the same ground. Ld counsel for defendant has vehemently opposed the adjournment on the ground that frequent change of counsels cannot be a ground for adjournment.

Perusal of record further reveals that the application of plaintiff u/o 12 rule 6 CPC was dismissed vide order dated 08.12.2023 and a cost of Rs.5,000/- was imposed to be deposited with DLSA, Shahdara. Said cost has not been paid till date. Further, cost of Rs.1,000/- was also imposed on the LDOH. The said cost has also not been paid till date by the plaintiff to the defendant. Today also, the adjournment is sought by the newly engaged counsel for the plaintiff.

Witness / Sh. Jitender Malhotra is examined as DW1 and his cross examination is deferred at request of counsels for plaintiff.

For today's adjournment, plaintiff is burdened with a cost of Rs.5,000/- to be paid by the plaintiff to the defendant on the NDOH.

Put up for cross examination of DW1 on 23.08.2024.

It is made clear that it shall be last and final opportunity to the plaintiff to cross examine DW1 failing which right of the plaintiff shall be closed.

**(Mohammad Ehtesham)
DJ – 03, Shahdara District,
Karkardooma Courts, Delhi
08.07.2024**