

13.12.2023

Present: Sh. Pushkar Walia, Ld. counsel for Plaintiff.
Sh. Haim Kumar and Smt. Geeta Aheriya, Ld.
counsel for Defendant.

Ld. counsel for defendant points out towards the Order dated 18.09.2023, wherein it is mentioned the defendant has filed an application under Section 151 CPC for setting aside Order dated 19.04.2014. Ld. counsel further submits that date of Order has been wrongly mentioned by him in his application as '19.04.2014', whereas he had sought setting aside of 'Order dated 24.07.2023'.

Ld. counsel for plaintiff expresses his no objection qua the aforesaid submissions of ld. counsel for defendant.

I have perused the record.

Order dated 18.09.2023 be read as accordingly.

PW-3 Sh. Tara Chand is present. He has been further cross examined and discharged. During course of cross examination, it has come to notice of this Court that in para no. 3 of evidence affidavit of PW-3, there is mention of a criminal case and identity of victim is disclosed, which is prohibited under Law.

Ld. counsel for plaintiff submits that inadvertently the said fact has been mentioned in the evidence affidavit of PW-3 and he apologizes for the same. Ld. counsel requests for apply of white fluid over the name of victim and other details which discloses the identity of victim.

Ld. counsel for defendant submits that he has no objection if the identity of victim in para no. 3 of evidence affidavit of PW-3 be covered with white fluid.

Ld. counsel for plaintiff is directed to be careful in future.

As jointly requested, Reader of this Court is directed to apply white correcting fluid over the identity and other particulars of Victim in para no. 3 of evidence affidavit of PW-3. Ordered accordingly.

PE stands closed vide separate statement of ld. counsel for plaintiff recorded in this regard.

Copy of evidence affidavit of Defendant is supplied to ld. counsel for plaintiff.

Put up for DE on 19.02.2024.

(Mohammad Ehtesham)
ADJ-03(Shahdara),
KKD Courts, Delhi
13.12.2023.