

8 CS DJ ADJ 237/2016 15475/16 PAPPU Vs. RAMESHWAR ORS.

17.09.2025

One Regular Stenographer of this Court is on leave today.

Present matter falls under the category of one of the oldest 20 matters of this Court.

Present: Sh. Dilip Gupta, Ld. Proxy Counsel for Sh. Raghuvender Godara, Ld. Counsel for plaintiff along with plaintiff.
Sh. Hardwari Lal, Ld. Counsel for all Lrs of deceased defendant No 1 except LR 1(a) for whom he is appearing in the capacity of LAC.
Sh. Shashank, Ld. Counsel for defendant No. 8.
Defendant No. 2,18 and 20 are stated to be expired.
Defendant No. 3 to 17, 19, 21 to 26 already proceeded *ex parte* vide order dated 13.03.2024.

Application under Order XXII Rule 4 CPC for impleadment of LR's of defendant No. 7(d)(ii), 17, 18 and 20 is pending for disposal service of which is already done via publication but none appeared. Heard. Record perused.

In view thereof, application stands allowed.

Above LR's are impleaded to the array of the parties.

Plaintiff is directed to file amended memo of parties.

At this stage, Ld. Counsel for defendant No. 8 pressed upon his application under Order IX Rule 7 CPC read with Section 151 CPC for recalling of *ex parte* proceedings dated 13.03.2024. Heard. For the reason mentioned in the application, application stands allowed.

Ex parte proceedings qua defendant No. 8 vide order dated 13.03.2024 stands recalled.

Perusal of record reveals that vide order dated 03.07.2015 issues were framed by Hon'ble High Court of Delhi and matter is pending for PE since then. Perusal of record also reveals that PW1 examined on 05.11.2022 thereafter, cross-examination is Nil by Ld. LAC for defendant No. 1 and by counsel for defendant No. 8 and 24(a) on 05.11.2022 and 16.11.2022.

At this stage, Ld. Counsel for LRs of deceased defendant pressed upon his application seeking permission to cross-examine PW1. Submissions heard.

Considering the facts and circumstances of the present case and in the interest of justice, application stands allowed.

It is made clear that PW1 shall be available for cross-examination on NDOH only. Hence, all defendants are directed to cross-examine PW1 in time bound manner on NDOH i.e. **06.11.2025**.

(SHILPI M JAIN)
DJ-05 (SW)/Dwarka Courts
New Delhi: **17.09.2025** (GM)