

23CS DJ ADJ225/17KRISHNA JAIN Vs. BAL RAM GUPTA AND ORS

03.04.2025

Present: Sh. Anuj Jain, Ld. counsel for plaintiff alongwith husband of plaintiff.
Sh. N.K. Aggarwal, Ld. Counsel for defendant.
Ms. Jyoti Singh, proxy counsel for Sh. Mahesh Kumar Singh, Ld. counsel for defendant No. 1.
Sh. Mohit Arora, proxy counsel for Dr. N.C. Sharma, Ld. counsel for defendant No. 3.

Matter is wrongly listed in the category of final arguments. Reader is directed to be careful in future.

Cost paid.

It is clarified that cost has to be divided amongst respondents in equal portion in terms of order dt. 12.02.2025 passed by Hon'ble High court of Delhi in CRP 30/2025.

PW7 is present. Ld. counsel for plaintiff submits that PW7 is supposed to prove report prepared by him qua thumb impression and signature of Krishna Jain i.e. plaintiff but due to some inadvertent mistake, said reports could not be mentioned as exhibit in evidence by way of affidavit. Hence, it is requested that PW7 may be permitted to exhibit above reports alongwith documents during tendering. Not opposed. Permission granted.

PW7is examined. However, could not be cross examined as main counsel for defendant No. 2 left court during the proceedings due to some other matter and not available at present for cross examination. Ld. counsel for defendant No. 2 is also stated to be not available being occupied in some other matter before Hon'ble High Court of Delhi.

Ld. proxy counsel for defendant no. 1 also submits that she is not inclined to separately cross examine PW7 and would adopt cross examination to be done by other defendants.

In view thereof, put up for cross examination of PW7 on **25.07.2025**.

At this stage, application under Order XVI Rule 1(3) r.w.s 151 CPC filed on behalf of plaintiff. Copy served.

Arguments on this application shall be heard on NDOH.

Date is given as per convenience of the counsels.

SHILPI M JAIN
DISTRICT JUDGE-05 (SW)
DWARKA COURTS
NEW DELHI/03.04.2025 (pk)