

CS No. 392/17

Hem Chand Jain Vs. Baljeet Singh & Ors.

09.10.2018

Present: Sh. Manish Bansal, counsels for the plaintiffs.
Sh. C.P. Malik, counsel for the defendants.

Witness Manish, Kanungo from the office of SDM, Najafgarh is present, who submits that the summoned record is not available in their office and the same might be available with Sadar Kanungo Branch, Tis Hazari Court Complex.

Other witness Rahul Yadav, Asst. Public Health Inspector, Najafgarh Zone, MCD Office is also present and he also submits that the said record is not available with their office. He is directed to intimate the court on the next date of hearing that who is the Sub-Registrar who has signed the death certificate on 10.05.1991 and 17.02.2005. He is bound down for the next date of hearing. Steps be taken by the counsel for the plaintiff to summon the remaining witnesses on the next date of hearing.

Order dated 12.09.2018 from the Hon'ble High Court of Delhi has been received vide which the order dated 01.08.2018 passed by this court dismissing the application of the plaintiff u/O. 7 Rule 14(3) CPC was set aside and the plaintiff was allowed to prove the said documents in accordance with law subject to cost of Rs. 40,000/-.

At this stage, counsel for the defendants submits that he is not accepting the cost as he is in the process of assailing the said order before the Hon'ble Supreme Court.

: 2 :

In view of aforesaid, plaintiff is directed to summon the CMM, Record Incharge and Sadar Kanungo for the next date of hearing.

Put up for remaining PE on **17.11.2018 at 12:30 PM.**

(Mohd. Farrukh)
ADJ(SW)/Dwarka Courts
09.10.2018