

13.03.2026

Present: Sh. Sunny Sharma, Sh. Amit Mathur and Sh. Anupam Saini,
Ld. Counsel for Plaintiff.
Ld. Counsel for Defendant.

There is a request on behalf of defendant for adjournment on the ground that defendant's wife has expired.

Matter is at the stage of cross examination of plaintiff's witness after the defendant was proceeded with ex-parte without filing WS.

Ld. Counsel for the plaintiff submits that the applicant is only delaying the matter further and controversy whether the ex-parte ought to be set aside or not should not hijack the proceedings. He submits that subject to defendant being put to terms, the application may be allowed and the defendant may participate in the matter, by setting aside the ex-parte order.

Considering the fair concession given by the counsel for plaintiff, as also, the settled law that all matters must be decided on merits, the application is allowed, subject to payment of costs of Rs.7,000/- to be paid to the plaintiff.

15 days time is given to the defendant.

Last opportunity is given to file WS.

List on 15.05.2026.

(HARJYOT SINGH BHALLA)
DJ-03, SOUTH-WEST, DWARKA
NEW DELHI/13.03.2026