

34CS DJ ADJ486/20
VIJAY SINGH Vs. RAMESH SINGH AND ORS

06.03.2025

Regular stenographer of this court is on leave.

Present: Sh. Rajesh Ahlawat and Rohit Ahlawat, Ld. counsels for plaintiff along with plaintiff.
Sh. Rajesh Mishra, Ld. counsel for all defendants along with defendant no. 1.

Matter is fixed for RPE.

Application for summoning of witness filed on behalf of plaintiff.

Submissions heard. Not opposed.

Issue summons to Sub-Registrar – IX, Kapashera on filing of PF/RC.

Let details of requisite record shall be specified on the PF itself.

Application u/o 18 rule 17 r/w section 151 CPC seeking permission to recall order dated 02.12.2024 and to seek permission to cross-examine PW1 filed on behalf of defendant. Reply to this application also filed on behalf of plaintiff. Copy supplied.

Submissions heard. Record perused.

During the course of submissions, Ld. counsel for plaintiff submits that without prejudice to the right and contentions of the plaintiff, present application may be allowed subject to heavy cost as defendants have taken as much as three opportunities to cross-examine PW 1 and it is only due to said reasons their right were closed vide order dated 02.12.2024.

In view thereof and considering facts and circumstances of present case, one opportunity is granted to defendants to cross-examine PW 1 subject to cost of Rs. 3000/- to be paid to the plaintiff. Cost paid.

Application stands disposed off accordingly.

PW 1 is present today, however, Ld. counsel for defendant is unable to cross-examine PW 1 due to some prior engagement.

In view thereof, put up for cross-examination of PW1/RPE on **02.06.2025.**

(SHILPI M JAIN)
DJ-05 (SW)/Dwarka Courts
New Delhi: 06.03.2025