

14 CS DJ ADJ 1058/18 GHANSHYAM DASS Vs. NITIN GOEL AND ORS.

19.03.2025

Present: Sh. Sukhwinder, Ld. Proxy counsel for Sh. Vijay Kumar, Ld. Counsel for plaintiff along with plaintiff.
Defendant in person.

PW1 is present. However, adjournment sought on behalf of defendant on the ground that, the main counsel is not available being unwell.

Record reveals that, on 19.09.2024 last and final opportunity was granted to defendant to cross-examine PW1 subject to imposition of cost. However, no cost paid till date rather, application for waiving of cost filed on behalf of the defendant. No plausible explanation given by defendant for not giving prior intimation to the PW1 about today's adjournment request.

Thus, considering conduct of the defendant, this court does not find any reason for waiving of cost hence, **application u/s 151 CPC stands dismissed.**

Defendant is re-directed to cross-examine PW1 on NDOH failing which his right shall be closed.

Put up for PE on **13.05.2025.**

(SHILPI M JAIN)
DJ-05 (SW)/Dwarka Courts
New Delhi: 19.03.2025 (sr)