

7 Civ DJ 132/2016 7616/16

PARVINDER DUTTA Vs. RAVINDER DUTTA AND ORS.

10.09.2025

File taken up on an application moved on behalf of the defendant no.1 u/s 151 CPC.

Present Shri Bhaskar Kumar, Ld. Proxy Counsel for Ld. Counsel
Shri K. Sunil for plaintiff.

Shri Vinod Kumar, Ld. Counsel for defendant no. 1, 4 and 5.

None for defendant no. 2 and 3

Notice be given to the Ld. Counsel for defendant no. 2 and 3
as well as Ld. LC for appearing at 12.00 noon.

SUSHEEL BALA DAGAR
DISTRICT JUDGE-08
WEST/DELHI/10.09.2025

At 12.30 pm.

Present Shri Bhaskar Kumar, Ld. Proxy Counsel for Ld. Counsel
Shri K. Sunil for plaintiff present in the Court.

Shri K. Sunil, Ld. Counsel for plaintiff through VC.

Shri Ritu Raj, Ld. Counsel for defendant no. 1, 4 and 5.

None for defendant no. 2 and 3.

Ms. Jyoti Tomar, Ld. LC through VC.

Arguments heard.

Ld. Counsel for defendant no. 1 submits that on 13.08.2025
Ld. LC examined DW Ravinder Kumar in the presence of the previous
Counsel for the defendant no. 1, 4 and 5 and Ld. Counsel for defendant
no. 2 and 3. It is submitted that the defendant no. 1 was informed by his

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previous Counsel about the place of evidence which was the address of Ld. Counsel for the plaintiff. It is submitted that the previous Counsel for defendant no. 1, 4 and 5 did not inform them when he got cross examined the last witness due to which defendant no. 1, 4 and 5 changed their Counsel on 07.09.2025, defendant no. 1 called Ld. LC to share his email ID but Ld. LC refused for the same and then defendant no. 1 had to inform that he has changed his Counsel and is hiring the previous Counsel. Copy of the transcript is enclosed.

Ld. LC submits that Ld. Counsel for the plaintiff was on wheelchair that is why both Counsels for the plaintiff and the defendant (previous Counsel) agreed to the venue for recording of evidence. It is submitted Ld. Counsel for defendant even offered that evidence be recorded to his chamber but the said chamber was found to be narrow where the wheelchair could not enter. Hence, due to the medical condition of Ld. Counsel for plaintiff, Ld. Counsel for defendant agreed to recording of evidence then only Ld. LC has recorded evidence at the fixed venue.

Heard both the parties.

Ld. Counsel for defendant no. 1 has admitted that Ld. Counsel for plaintiff is on wheelchair. It seems that due to change of the Counsel by the defendant no. 1 some miscommunication took place between the parties. It is today agreed by both the parties as well as the Ld. LC that the evidence would be recorded in the Court room in the after lunch session or in the BAR Library. There is no need to change the LC.

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In view of the above observation the application stands disposed of.

Ld. Counsel for the plaintiff submits that he has moved the application for taking sample signatures of Shri Sudarshan Kumar under Section 151 CPC. Copy of the application supplied to the Ld. Counsel for opposite party.

Reply to the application, if any be filed by the defendant with advance copy to the Ld. Counsel for the opposite party.

Ld. Counsel for plaintiff to flag the documents/ records for which he has filed the application at 2.00 pm.

SUSHEEL BALA DAGAR
DISTRICT JUDGE-08
WEST/DELHI/10.09.2025

At 2.00 pm.

Present Shri K. Sunil, Ld. Counsel for plaintiff.

Shri Ritu Raj, Ld. Counsel for defendant no. 1, 4 and 5
through VC.

Ms. Jyoti Tomar, Ld. LC in person.

Ld. Counsel for plaintiff submits that he has to move one more application for bringing on record the document with which he wants to get compared with signatures of Sudershan Dutta.

Put up for reply/ arguments on the application for
18.09.2025.

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Date is given at request and convenience of Ld. Counsels for both the parties.

SUSHEEL BALA DAGAR
DISTRICT JUDGE-08
WEST/DELHI/10.09.2025