

MANOJ KUMAR Vs. SMT. LAXMI DEVI

04.04.2022

Present: Sh. Anil Kumar, Ld. Proxy Counsel for the plaintiff.

Sh. Ajeet Pratap Singh, Ld. Counsel for the defendants along with DW3/ Sh. Jagat Singh in person.

Main counsel for the plaintiff is not available and adjournment is sought.

Perusal of records shows that right to cross examine DW3 Jagat Singh was stand closed vide order dated 12.02.2020. Thereafter, on request of the plaintiff, one opportunity was given to cross examine DW3 vide order dated 27.01.2021 subject to cost of Rs. 2,000/-. DW3 was partly cross examined on 23.02.2021, thereafter, adjournment was sought on behalf of counsel for the plaintiff for completion of cross examination. Since then, matter is pending for completion of cross examination of DW3. Today again, adjournment is sought stating that main counsel for the plaintiff is not available.

The matter is very old pertaining to the year 2009 and accordingly, I am not inclined to grant any adjournment, however, there are other witnesses of defendant who are to be examined by the plaintiff and are not present today. Accordingly, the right to cross examine DW3 is not closed today. Adjournment is granted subject to cost of Rs. 4000/- to be paid to opposite counsel.

All the remaining defendant's witnesses are directed to appear in person on NDOH for their evidence. It is made clear that no further opportunity for DE shall be given to either of the parties.

Re-notify for cross examination of DW3 and RDE on 11.05.2022.

Shivali Sharma

Additional District Judge-03(West)

Tis Hazari Court/04.04.2022