

12 Civ DJ 13756/16 SHASHI DUA Vs. PRABHA ANAND

09.02.2026

Present Sh. Abhishek, Ld. Proxy Counsel for Ld. Counsel Sh. Tarique Siddiqui for plaintiff.

Sh. Rajat Sang, Ld. Counsel for defendant no.1 and 3 through VC.

Sh. Mohinder Singh Sachdeva, Ld. Counsel for defendant no.4 and 5 (though already exparte).

Sh. Saarthak Sethi, Ld. Proxy Counsel for Ld. Counsel Sh. Shivam Chanana for defendant no.9 through VC.

Defendant no.7 and 9 in person (though defendant no.7 already exparte).

Sh. Nadeem Uzzama, Ld. Counsel for defendant no.10.

Defendant no.2, 6 and 8 are already exparte.

PW5 Pradeep Kumar and PW6 Mohd Izaz are examined, cross examined and discharged on behalf of defendants except Ld. Counsel for defendant no.1 and 3.

Ld. Counsel for defendant no.1 and 3 seeks passover till 11.30 am for cross examination of PW5 and PW6 with the submission that he is on the way to the Court.

SUSHEEL BALA DAGAR
DISTRICT JUDGE-08
WEST/DELHI/09.02.2026

At 12.00 noon

Present: Sh. Abhishek, Ld. Proxy Counsel for Ld. Counsel Sh.

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Tarique Siddiqui for plaintiff.

Sh. Mohinder Singh Sachdeva, Ld. Counsel for defendant no.4 and 5 (though already exparte).

Sh. Saarthak Sethi, Ld. Proxy Counsel for Ld. Counsel Sh. Shivam Chanana for defendant no.9 through VC.

Defendant no.7 and 9 in person (though defendant no.7 already exparte).

Sh. Nadeem Uzzama, Ld. Counsel for defendant no.10.

Defendant no.2, 6 and 8 are already exparte.

Despite waiting and repeated calls from 11.30 am upto 12.00 noon, Ld. Counsel for defendant no.1 and 3 has not appeared in the Court.

At this stage, Ld. Counsel for defendant no.1 and 3 has joined VC by the name of Ms. Suruchi, Advocate after being telephonically informed by the Reader of the Court. He submits that he does not want to cross examine the said witnesses i.e PW5 and PW6.

Accordingly, PW5 Pradeep Kumar and PW6 Mohd Izaz are discharged with cross examination 'Nil' despite opportunity given on behalf of defendant no.1 and 3.

Diet money paid to both the witnesses.

An application is moved on behalf of the plaintiff for summoning of the witnesses.

Heard both the parties. Record perused.

As far as application concerns the witness mentioned at

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S.No. 2.1, 2.3, 2.4 and 2.5, the same has already been allowed.

Ld. Counsel for plaintiff submits that he has moved this application for summoning of concerned officials mentioned at S.No. 2.2 as the report had been received that the said record has been sent to the Archive department and for summoning of witness at S.No. 2.5 as their address had changed.

Ld. Counsel for defendants submit that defendants have no objection in case the application is allowed.

Heard.

Matter is at the stage of plaintiff evidence. In view of submissions made, the application moved on behalf of the plaintiff for summoning of concerned officials mentioned at S.No. 2.2 and 2.5 is allowed as the same would aid in proper adjudication of the matter. The concerned witnesses be summoned on filing PF. Copy of the application be enclosed alongwith the summons for information of the concerned witnesses as to which record is to be produced by the witnesses. Diet money be paid to the witnesses at the spot.

Put up for entire remaining PE as last opportunity to the plaintiff for 18.02.2026.

SUSHEEL BALA DAGAR
DISTRICT JUDGE-08
WEST/DELHI/09.02.2026