

UMA KHANNA Vs. STATE GOVT OF NCT OF DELHI

08.01.2024

Present: Sh. Ambuj Srivastava, Id. Counsel for the petitioner.

Sh. Rakesh Wadhwa, Id. Counsel for R-2.

Petitioner Ms Uma Khanna is through V.C but her video is not on.

An application on behalf of R-2 for calling petitioner in the court has been moved. Ld. Counsel for the petitioner submits that petitioner Ms Uma Khanna is in Chandigarh and is bed ridden but she can appear through V.C in the court. Ld. Counsel for the petitioner is directed to ensure the appearance of Ms Uma Khanna through VC on the next date of hearing also ensure that her video should be on at that time. The application is disposed off accordingly.

An affidavit of Sh. Manan Mehra has been filed regarding compliance of u/o 39 rule 3 CPC.

An application for summoning the concerned clerk has been filed by the petitioner. The said application is allowed, witness mentioned in the application be summoned on filing of PF/RC. Diet money be paid at the spot.

Ld. Counsel for the R-2 has filed reply to the application moved under order 39 rule 1 & 2 CPC, copy supplied.

Previous cost of Rs. 2000/- paid to Id. Counsel for R-2.

Contd. 2

An application under section 151 CPC for filing some documents on record has been filed by the petitioner on the last date of hearing. Copy of the same has been supplied to Id. Counsel for respondent no. 2. Ld. Counsel for R-2 submits that the documents filed by the petitioner are not legible.

Ld. Counsel for the petitioner submits that he has no other copy of the said documents and he has also having the same copy of the documents which is supplied to Id. Counsel for R-2. He cannot produce any legible copy of the documents. The documents related to the school record and can be produce by the school if summoned by the court to give evidence. Ld. Counsel for the respondent no. 2 is directed to file reply by taking his objection in the reply itself. The petitioner wants to examine the witness Sh. Manan Mehra, however the documents which are not on record are also to be exhibited in the testimony of the said witness, therefore the witness is discharged.

Put up for reply/consideration on the application for filing documents on record as well as consideration on application u/o 39 rule 1 & 2 CPC on 13.03.2024. The interim stay granted vide order dated 3.11.2023 is extended till next date of hearing.

(SHIV KUMAR)
ADJ-02, West Distt.Tis Hazari Courts
Delhi: 08.01.2024