

DR. RAVI KANT GUGLANI AND ORS. Vs. DALIP KUMAR SETHI

29.04.2024

Present: Sh. Ritik Duggal, ld. counsel for the plaintiff alongwith
plaintiff no. 1 & 3 in person.
Defendant in person

PW-1 is present for his cross-examination.

Defendant submits that his counsel has gone to Patna for taking examination and his train has got delayed due to which he could not appear today for cross-examination of PW-1 and he seeks an adjournment for cross-examination of PW-1. Adjournment is opposed by ld. counsel for the plaintiff.

On 22.09.2023, PW-1 was examined in chief and his cross-examination was deferred on the request of ld. counsel for the defendant on the ground that he has received the copy of affidavit of PW-1 on that day itself and matter was adjourned to 10.01.2024.

On 10.01.2024, PW-1 was present for cross-examination but defendant submits that the grand-mother of his counsel has expired and due to which matter was adjourned subject to cost of Rs. 10,000/- with the condition that if, ld. counsel for the defendant filed any document regarding the above said tragedy then the cost shall be deemed waived and the matter was adjourned for today's date.

Today also defendant is seeking adjournment on the ground that main counsel had gone to Patna for appearing in an examination and his train got delayed due to which he could not reach Delhi today and could not appear in the court. The defendant has neither paid previous cost of

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Rs. 10,000/- nor produced any document regarding the above said tragedy. Even no document has been placed on record regarding the appearance of the main counsel in an examination at Patna.

Considering the above said facts, the request of defendant for giving adjournment for cross-examination of PW-1 is declined and the PW-1 is discharged by treating his cross-examination on behalf of defendant as 'Nil'.

Ld. counsel for the plaintiff submits that he wants to examine further witness.

Put up for PE on 14.08.2024.

(SHIV KUMAR)
District Judge-02, Court no.127,
West Distt, Tis Hazari courts
Delhi 29.04.2024