

05.06.2026

Present: Sh Umang Jain, Ld Counsel for the plaintiff along  
with plaintiff.  
Sh Prashant Tripathi , Ld proxy Counsel for the  
defendant

1. Matter is listed for PE.
2. No witness present.
3. It is submitted by the Ld. Proxy Counsel for the defendant that the mother of the main counsel has passed away that is the reason the main counsel is not available today.
4. On a query put to the Ld. Proxy counsel that Defendant was directed to appear in person and today the defendant is not appearing. It is answered by the Ld. Proxy counsel that the defendant is in Ahmadabad and he has shown air tickets in this regard. Heard. Considered.
5. I am of the view that recalcitrant behavior of the defendant is writ large on the actions of the defendant as order dt. 07.11.2024, Rs. 10000/- cost was imposed on the defendant which is yet to be paid.
6. Further, on 29.11.2025 none appears on behalf of defendant and on 04.04.26 defendant did not appear and this court was addressed by the Ld. Counsel (through VC).
7. On 04.04.26 It was apprised by the Ld. Counsel for defendant that the goods of the defendant to the tune of Rs. 3 lakhs have been attached in execution proceedings and it is reflected in order sheet. Thereafter a query was put to the Ld. Counsel on which date the such order was passed and

Ld. Counsel showed his inability and sought time to apprise this court. Heard. Considered.

8. I am of the view that the defendant deliberately did not appear before the court despite directions and imposition of cost on the defendant vide order dt. 07.11.2024, which is yet to be paid, clearly shows the recalcitrant attitude of defendant.
9. Ergo, in view of above, the right to cross examine the witness stands closed.
10. Witness/Vijay Kumar Jain present in court, examined and discharged/
11. Vide separate statement PE stands closed.
12. Now to come up for DE on **12.08.2026**

(Akbar Siddique)  
DJ-04, North, Rohini Courts,  
Delhi/05.06.2026