

CS no.15727/16

07.01.2019

Present : Sh. Sanjeev Kumar, Ld. counsel for the plaintiff.

Sh. S.C. Jha, Ld. counsel for the defendant no. 3 with
defendant no. 3 in person.

Defendants no. 1, 2 and 4 are ex-parte.

Arguments have been addressed by the Ld. counsel for the
defendant no. 3 on the application of the plaintiff U/s 151 CPC.

It is stated in the application that on 22.10.2016, DW1 was examined
and he denied his signatures on the documents as mentioned in para no. 2 of the
said application. It is further stated that to remove the ambiguity regarding the
signatures of DW1 on the documents, it is necessary to lead expert evidence. It
has been prayed that the permission may be granted to lead expert evidence for
just decision of the case.

Ld. counsel for the defendant no. 3 is strongly opposed the
application.

Considering the submissions of both the Ld. counsels for parties and
in the interest of justice, application U/s 151 CPC is allowed subject to payment of
cost of Rs. 1,500/- to be paid by the plaintiff to the Ld. counsel for defendant no. 3.
Cost paid. Plaintiff is at liberty to summon the expert witnesses on PF and
depositing of diet money for NDOH.

Put up for PE on 25.02.2019.

(RAJ PAUL SINGH TEJI)
Addl. District Judge-09(Central),
07.01.2019