

CS DJ 256/21

SHRI SUDHIR BANSAL Vs. GAGANDEEP AND ORS

27.05.2025

Present: Sh. R.K.Upadhayay, Ld. counsel for the plaintiff
(M.No.9811730018).

Defendant no.1 in person.

Ms. Rashi Bajpai, proxy counsel for the defendant
(M.No. 9718291184, 9811440191).

After seeking passover, now defendant no.1 is saying that her counsel is still not available.

It seems that the time was granted to the defendant to lead evidence. The defendant sought to have filed affidavit of witnesses in advance. No such affidavit has been filed. It shows that defendant was not interested or inclined to lead any evidence today. In such circumstances, a simple adjournment would not be in the interest of justice.

At this stage, proxy counsel for defendant has appeared and has handed over evidence affidavit of defendant no.1. Copy supplied. There is no explanation as to why this could not be done at the earliest. Even she is again seeking adjournment with a submission that defendant has not brought the documents.

This court is of the view that conduct of defendant side is not proper. Normally no further opportunity should have been given but matter pertains to recovery of money and is not very old,

therefore a last opportunity is given to the defendant to lead evidence but before the Ld. LC at the expense of defendant.

The Lawyers present in person in the Court Room have been asked whether they are willing to be appointed as an LC. One Advocate has come forward to be appointed as an LC and has provided her name as **Ms. Ami Sisodiya**.

In such circumstances, **Ms. Ami Sisodiya, Enrollment no. D/4344/2022, Mobile No. 8700146532, office at E-41, Pratap Vihar, Part No.3, New Delhi-110086** is appointed as Local Commissioner to record the evidence in this case.

Within two months, the evidence of defendant side shall be concluded by the Ld. LC and report shall be filed in the Court. The Ld. LC shall record the evidence in terms of Order 18 Rule 4 R/w Order 26 Rule 4A CPC.

Be listed for the report of Ld. LC and also for further proceedings on **20.08.2025**.

(Rakesh Kumar Singh)
DJ-02/(N-W), Rohini Courts
Delhi/27.05.2025