

T.S. No. 1021 of 2012

Order No. 51

28.01.2020

On behalf of the plaintiff, one time petition is filed on the ground stated therein after supplying the copy to other side.

Time prayer made by the plaintiff is allowed.

Defendant no. 1, 3 and 4 have filed their separate haziras through their respective Ld. Lawyers.

Today is fixed for further cross-examination of DW1.

Ld. Lawyer for the defendant no. 1 points out that the Hon'ble High Court in connection with C.O. No. 2684 of 2019 dated August 13, 2019 has given a direction to the Judge, 3rd Bench, City Civil Court to dispose of this Title Suit pending in the said court and being heard analogously with T.S. no. 426 of 2015, as expeditiously as possible, without granting any unnecessary side to either side preferably within 6 months from the date of communication of this order to this Court below. He further submits that this 6 months as mentioned by the Hon'ble Court to be completed by February 2020.

Ld. Lawyer for the plaintiff submits that he was not aware about the withdrawal of the case record from 3rd Bench and transfer to this court. It is further submitted that time is required for complete of the cross-examination and further proceedings of this case.

From the copy of the judgment of the Hon'ble High Court, it appears that the Judge of 3rd Bench was directed to dispose of the case within 6 months from the date of communication of this order. But the fact remains that in the meantime, 3rd Bench became vacant and Ld. Chief Judge on 02.01.2020 vide Order no. 3 in Misc. Case no. 2130 of 2019 at the instance of the parties, withdrawn this T.S. no. 426 of 2015 from Ld. Judge, 3rd Bench of this court and the same has been transferred to this court.

Accordingly, this court received the record along with order of Ld. Chief Judge on 09.01.2020.

If that be so and under the above circumstances, this court being a transferee court has been communicated the order of the Hon'ble Court since 09.01.2020.

In that score, the time framed fixed by the Hon'ble High Court to be completed within June, 2020.

In the above circumstances in order to carry out the direction of the Hon'ble Court, consecutive dates are to be fixed for evidence of the confronting parties.

To 23.03.2020, 24.03.2020 and 25.03.2020 for cross-examination of DW1 and further evidence of other witnesses.

Dictated & corrected by me:

Judge

Judge