



\$~66

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 657/2025 & CM APPL. 20679/2025**
ARTHUR BOAZ

.....Petitioner

Through: Mr. Rajan Chaudhary and Ms.
Bandana Kumari, Advocates.

versus

**I S RAM (SINCE DECEASED) THROUGH HER LEGAL HEIRS &
ORS. & ORS.**

.....Respondent

Through: None.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **08.04.2025**

CM APPL. 20680/2025 (Exemption)

Exemption allowed, subject to all just exceptions.

CM(M) 657/2025

1. The petitioner is defending a partition suit.
2. When the case was taken up by the learned Trial Court on 06.03.2025, noticing that neither witness of the defendant was present nor any step has been taken for issuance of summons and no affidavit was found reflected on CIS, it closed the right of defendant to lead evidence.
3. Such order is under challenge.
4. According to petitioner, the evidence of the defendant witnesses has been filed through e-filing module on 09.10.2024 and also on 14.01.2025 but the learned Trial Court merely labelled those as “documents”.
5. Learned counsel for petitioner submits that these were not documents

CM(M) 657/2025

1



only and were also the affidavits of the concerned witnesses.

6. Issue notice to respondents through all permissible modes. Notice be also issued through counsel.

7. List on 25.05.2025 along with connected petitions i.e. CM(M) 1835/2023 and CM(M) 1646/2023.

8. The learned Trial Court may though hear the final arguments but shall not pronounce the judgment till next date of hearing.

MANOJ JAIN, J

APRIL 8, 2025/ss/SS