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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ TEST.CAS. 67/2021

MS. ASHA MISHRA @ ASHA MISRA

..... Petitioner

Through: Mr. Alok Kumar, Sr. Adv. with Mr. Amit Kr. Singh, Mr. Varun Maheshwari, Advs. M. 9868571116.

versus

STATE THROUGH STANDING COUNSEL & ANR.

..... Respondent

Through: Mr. Akshay Makhija, Sr. Adv. Mr. Pramod Dayal, Mr. Rakesh Kumar, Advs. for R-2 pdoyal.adv@gmail.com M. 9810140004. Mr. Divyam Nandrajog, PC, GNCTD with Mr. Jatin Dua, Adv.

CORAM:

JOINT REGISTRAR (JUDICIAL) MS. TYAGITA SINGH, (DHJS)

ORDER

% **16.01.2024**

Matter is taken up through physical hearing as well as video conferencing.

The case is fixed for petitioners' evidence.

As per file noting, list of witnesses and affidavits of the attesting witnesses PW-1 Sh. Purshottam Goel and PW-2 Smt. Krishna Lal have already been e-filed by the petitioner. Copy supplied to Respondent. Hard copy of affidavits and list of witnesses be filed with the Registry within one week.



As per file noting, list of witnesses have been filed by respondent no.2 also. Ld. Counsel for Respondent no.2 has objected that in terms of Order XVIII Rule 3(a) CPC, petitioner has to lead her evidence first before producing any other witness.

Ld. Counsel for petitioner has submitted that he does not wish to examine the petitioner Smt. Asha Mishra in the affirmative, due to which he has not filed any affidavit of evidence of petitioner.

At request that both the witnesses are aged and old, be fixed for Petitioner's Evidence on 21.02.2024 and 29.02.2024 at 2 PM.

**TYAGITA SINGH, (DHJS),
JOINT REGISTRAR (JUDICIAL)**

JANUARY 16, 2024/sm