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

+ **CM(M) 2599/2024**

NEERAJ OHRI & ANR. Petitioners

Through: Ms. Aastha Dhawan, Adv.

versus

B.S. RAWAT AND ORS Respondents

Through: None.

CORAM:
HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

% **17.05.2024**

CM APPL. 29783/2024—Exp.

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CM(M) 2599/2024

3. The present petition under Article 227 of the Constitution of India has been filed impugning the order dated 26.03.2024 passed by the learned ADJ, Rohini Court, North West District, Delhi (hereinafter referred to as 'Trial Court') in CS DJ No. 690/2018 titled as "Neeraj Ohri & Anr. vs. B.S. Rawat & Ors."

4. Learned counsel for petitioners submits that after framing of the issues, the petitioners filed the evidence affidavit and the petitioners were examined-in-chief on 11.12.2023 and the cross-examination was concluded on 26.03.2024, however, the petitioners wanted to summon other witnesses



but the right of the petitioners to lead PE was erroneously closed by the learned Trial Court.

5. Issue notice.

6. On taking steps by the petitioners, service be effected upon the respondents through all permissible modes including via approved courier service, returnable on 23.10.2024.

CM APPL. 29782/2024--stay

7. The present application has been moved under Section 151 of the Code of Civil Procedure, 1908 for stay of further proceedings before the learned Trial Court.

8. The learned counsel presses for stay of the proceedings before the learned Trial Court till disposal of the present petition else, the present petition will become infructuous.

9. In view of the submission, the learned Trial Court to give a date beyond the date given by this Court.

SHALINDER KAUR, J.

MAY 17, 2024/ss