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

+ **CS(OS) 568/2021**

MANISH RACHHOYAPlaintiff

Through: Ms. Smita Maan and Mr. Vishal
Maan, Advs.

versus

KAMAL KANT RACHHOYADefendant

Through: Mr. Swastik Singh, Mr. Atul Singh
and Mr. Shreyshth Raj Srivastava,
Advs.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **13.09.2024**

**I.A. 39503/2024(by defendant under Order XVIII Rule 17 read with
Section 151 CPC seeking recalling of PW-1/Mr. Manish Rachhoya)**

1. By way of present application, the defendant/applicant is seeking to recall PW-1 for his further cross-examination.
2. The learned counsel for the defendant/applicant submits that the filing of this application has been necessitated by the fact that this Court *vide* order dated 10.09.2024 has allowed the certified copies of two sale deeds to be taken on record.
3. In view of the above, issue notice. The learned counsel named above accepts notice on behalf of the plaintiff/non-applicant.
4. Let reply to the application be filed within a period of three weeks. Rejoinder thereto, if any, be filed within a period of two weeks thereafter.
5. List before Court on 28.10.2024.



6. At this stage, the learned counsel for the defendant/applicant submits that the matter is now fixed before the learned Local Commissioner on 17.09.2024 for recording of evidence of two summoned witnesses.

7. He submits that in case the evidence is concluded on the said date that might require another application for recalling of the order closing plaintiff's evidence. The statement is taken on record.

VIKAS MAHAJAN, J

SEPTEMBER 13, 2024/dss