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

+ CS(OS) 1113/2010

N.K. ARORA

..... Plaintiff

Through: Mr.Soin Khan, Adv.

versus

SUNIL ARORA

..... Defendant

Through: Mr.Aruni Poddar, Adv.

CORAM:

SH. AMIT KUMAR (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

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06.07.2015

Witness/DW1 is present. He is examined-in-chief and his cross-examination is deferred on the request of counsel for plaintiff. Summoned witness Inspector Arun Kr. Choudhary, Sec-III, E.O.W, Delhi is present with record. Record is seen and he is discharged.

At present, evidence is being recorded only in respect of ex-parte proceedings initiated against the defendant and the evidence of the defendant should be restricted only to the issue in controversy. Defendant has filed his affidavit even on the merits of the case and from the affidavit, it appears that para no. 2 to 13 of the affidavit pertains to the merits of this case.

Counsel for defendant submits that entire evidence is material as these paras of the affidavit disclose the documents as per the order of Hon'ble

Court dated 21.08.2012. The issue is only in respect of as to why the defendant did not appear in this case and was proceeded ex-parte in this case and relevant paragraphs of this issue are from para no. 14 till para no. 36 of the affidavit. In facts, paras no. 2 to 12 are deleted and shall not be considered for disposal of the issue framed on 21.08.2012. Counsel for plaintiff as such required to cross-examine the witness on paras no. 14 to 36.

Now to come up for cross-examination of DW1 on **06th October, 2015.**

AMIT KUMAR (DHJS)
JOINT REGISTRAR (JUDICIAL)

JULY 06, 2015/nk