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

+ **CS(OS) 1312/2007**

UJJAL S. MAKKER

..... Plaintiff

Through: Mr. Rahul Sharma, Ms. Jyoti Dutt
Sharma and Mr. C.K. Dutt,
Advocates.

versus

KAVAL BAJAJ & ORS

..... Defendant

Through: Mr. Rajat Bhalla, Adv. for D-1.
Mr. Rajat Aneja & Ms. Chandrika
Gupta, Advocates for D-3

CORAM:
MS. DEEPALI SHARMA (DHJS), JOINT REGISTRAR
(JUDICIAL)

ORDER
% 08.12.2017

CS(OS) 1312/2007

Summoned witnesses DW1/11, DW1/12 & DW1/13 (now plaintiff's witnesses, however for the sake of continuity, the nomenclature as DW is maintained) examined and discharged.

Counsel for the plaintiff states that he has filed PF for summoning the remaining witnesses.

It is stated by counsel for defendant no.3 that in view of the orders passed by Hon'ble Court on 14.09.2016 & 30.03.2017, he is yet to cross-

examine Mr. Ujjawal S. Makker, who was DW1 initially and now he has been transposed as plaintiff in the instant suit.

Counsel for the plaintiff objects to the request of counsel for defendant no.3 stating that defendant no.3 is a stranger to the family in the instant suit for partition filed by the plaintiff being a purchaser of the property from defendant no.1. He states that substantial evidence has been led and Mr. Ujjawal S. Makker has been cross-examined by defendant no.1 at length from whom defendant no.3 has purchased the property.

Counsel for defendant no.3 states that in view of the objections raised by counsel for plaintiff, he will move an appropriate application in this regard.

Re-notify the matter for remaining plaintiff's evidence on **19th March, 2018** subject to further directions of Hon'ble Court on 24.01.2018, the date already fixed.

I.A.No. 13317/2017 under Section 151 CPC filed on behalf of defendant no.3

Counsel for plaintiff requests for four weeks time to file reply. Be filed within four weeks as prayed with advance copy.

Rejoinder, if any, be filed within two weeks thereafter.

Re-notify for consideration on this IA on **19th March, 2018** subject to further directions of Hon'ble Court on 24.01.2018, the date already fixed.

**DEEPALI SHARMA (DHJS)
JOINT REGISTRAR (JUDICIAL)**

DECEMBER 08, 2017/nk