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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 219/2016**

SMT PREM RANI @ PREM SAIMPlaintiff

Through: Mr. R.S. Chaggar, Adv. with Ms. Sangeeta
Sharma, Adv.
Ms. Kshirja Agarwal, Adv.

versus

SHRI ABDUL SALAMDefendant

Through: Mr. Tanvir Khan, Adv. M. 9810755422
Mr. Bharat Chugh, Mr. Maanish Choudhary,
Adv.

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

ORDER

% **26.07.2024**

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

The present case has been transferred from the Court of Ld. Joint Registrar (Judicial) Ms. Priya Mahendra vide Order dated 28.06.2024 issued by Ld. Registrar (Original & JJ Sectt.).

The case is fixed for remaining Defendant's Evidence but Bailable Warrants issued against the Record Clerk Ms. Jyoti have remained unserved with report that no such person is there in the office of LAC of Lajpat Nagar-IV, Delhi. Ld. Counsel for plaintiff has stated that evidence of the main witness of defendant was concluded on 17.02.2020 and since then the case is pending for remaining defendant's evidence regarding acquisition of the land in question.



Ld. Counsel for plaintiff has further stated that the document Ex. DW2/1 placed on record by DW-2 Sh. R.K. Mudgal, Sr. Assistant from Land and Building Department Delhi, reflects that various Khasra numbers including Khasra no.731 in which the property of plaintiff is situated, was also notified for acquisition and plaintiff has already admitted this fact in Replication that the land was acquired by the Government but possession was not taken by the Government and Possession is still with plaintiff. Ld. Counsel for plaintiff has objected that defendant has admitted that he was the tenant of plaintiff and he cannot go beyond the landlord-tenant relationship and cannot try to prove that ownership of land does not lie with plaintiff.

Ld. Counsel for defendant has requested that one opportunity may be granted to him for bringing on record the Award qua the land in question.

Heard. Last and final opportunity is granted to defendant for obtaining certified copies of Award from the concerned authority and for placing the same on record with the Registry alongwith additional affidavit of defendant within four weeks, with advance copy to Ld. Counsel for plaintiff. It is clarified that if defendant fails to place the Award on record before next date of hearing, the evidence of defendant will be closed.

Be fixed for remaining Defendant's Evidence as last and final opportunity to defendant on 30.09.2024.

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

JULY 26 2024/sm