

RADHEY SHYAM (SENIOR CITIZEN)

Vs.

PARMESHWARI DASS ANR.

13.12.2023

Present: Mr. Mukesh Kumar Sharma, Ld. Counsel for plaintiff
along with plaintiff in person.
Mr. Gaurav, Ld. Counsel for defendant no. 1 (through
VC).

ORDER

1. Ld. Counsel for defendant no. 1 submits that he will make the payment of cost through Paytm. Ld. Counsel for defendant no. 1 seeks an adjournment on the ground that he wants to move an appropriate application for adjudication on the point of territorial jurisdiction. He submits that the Hon'ble High Court of Delhi vide its order dated 08.12.2023 has directed him to raise this issue before the Ld. Trial Court.
2. Ld. Counsel for plaintiff submits that the defendant no. 1 is intentionally delaying the present matter. It is requested that if any application is moved on behalf of the defendant no. 1 then advance copy be supplied to the counsel for plaintiff so that he can file appropriate response.
3. Heard.
4. Be put up for filing of appropriate application with advance copy to the counsel for plaintiff on **10.01.2024**.
5. At this stage, Ld. Counsel for plaintiff has requested that the DE be closed in view of the order of the Hon'ble High Court of Delhi on

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07.08.2023 and the submissions made by the Ld. Counsel for defendant therein, which reads as under:-

“2.1 He has filed his application seeking leave to instead examine Sh. Jai Bhagwan Aggarwal as the last witness. He states that the name of Sh. Jai Bhagwan Aggarwal appears at serial no. 2 in the list of evidence filed on 26.08.2013.”

6. Ld. Counsel for plaintiff submits that Sh. Jai Bhagwan Aggarwal is examined and discharged on 09.08.2023. It is stated that the right of the defendant to lead further defence evidence may be closed.

7. Ld. Counsel for defendant no. 1 seeks to clarify the same.

8. Heard. Record Perused. On perusal of record, it is found that the propositions / contentions of plaintiff are correct and there is no requirement of any clarification. Accordingly, DE stands closed.

9. Be put up for filing of appropriate application with advance copy to the counsel for plaintiff on the date already fixed i.e. **10.01.2024**.

Shivali Bansal
ADJ-03, Rohini Courts
North District, Delhi
13.12.2023