

Present: Elizabeth Hazarika, AJS

TS 22/12

03/06/2022

Both sides are duly represented.

Today was fixed for DW evidence.

Defendant side has preferred petition No.508/22 seeking adjournment and praying to fix another date for DW evidence.

The plaintiff side objected to the petition.

I have perused the case record and it appears that the matter is at the stage of DW since 08/08/2016 and vide order dated 05/03/2021 the defendant side was directed to submit the DW evidence positively on the next date fixed, failing which the matter shall proceed in accordance with law.

But till date, the defendant has failed to comply with the order of this court resulting in considerable delay in the proceeding of the instant matter causing prejudice to the plaintiff side.

Hence, the prayer of the defendant is allowed with a cost of Rs.1000/- to be paid to the plaintiff side.

This, however, shall be treated as last opportunity.

Fixing 20/07/2022 for DW evidence.