

Suit No. 6460/16
Goulok godhan Sewa Vs. MCD and ors.

13.04.2017

Pr. Plaintiff in person with Ld. Counsel Ms. Sunita Bansal.

Shri Rohit Sen, Ld. Proxy counsel for defendant no.1, EDMC.

Shri D.K. Dhingra, Ld. Counsel for defendant no.2, DDA.

Matter is fixed for reply / arguments on application u/s 151 CPC moved on behalf of plaintiff for leading further evidence.

By way of present application it is submitted that on 07.10.2016 plaintiff's counsel could not appear due to pain in abdomen and due to her non appearance on that day, plaintiff could not give further evidence due to which his right was closed; that if further opportunity is not granted to the plaintiff, he will suffer irreparable loss.

Ld. Counsel for non applicant / defendants have opposed the present application.

I have heard the parties and perused the record. No cogent reason has come forward but in the interest of justice and for the proper adjudication of present suit, application in hand stands allowed subject to cost of Rs.2000/- to be paid to defendants. It is made clear to the parties that only one opportunity will be given for remaining PE. Copy of evidence by way of affidavit of two witnesses namely Vicky Jain and Mahender Kumar supplied to counsel for DDA today in the court.

Put up for PE on 30.08.2017.

(Geetanjali)
ASCJ/JSCC/G. Judge (East)
13.04.2017