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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CM(M) 201/2016 & C.M. no.7547/2016

PUSHPA GUPTA & ANR

..... Petitioners

Through Mr. Parag Chawla, Adv.

versus

NARENDER GUPTA & ORS

..... Respondents

Through Mr.N.K. Jha, Adv.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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04.04.2016

The petitioners are aggrieved by the order dated 05.02.2016 wherein the evidence of the defendants stood closed. Three witnesses of the defendant already stood examined. It was at this stage when the defendant wanted to produce the fourth and the last remaining witness that the impugned order declined this prayer.

After some arguments, learned counsel for the parties agree that the petitioners/defendants may be granted one opportunity to lead his evidence in defence. It is made clear that on the next date of hearing before the Trial Court (which is stated to be 14.04.2016), the petitioners/defendant will produce his witness; the Trial Court shall permit the examination of the said DW and needless to state with opportunity to the non-applicants to cross-examine the said witness. The petitioners will accordingly take steps to produce this witness on the next date. He is stated to be a formal witness i.e. an attesting witness to the alleged power of attorney. In this scenario, the affidavit by way of evidence of the said DW may not be filed but he may be

examined orally. This order is passed subject to payment of Rs.10,000/- as costs.

Petition disposed of.

Order dasti under signatures of the Court Master.

INDERMEET KAUR, J

APRIL 04, 2016

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