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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CM(M) 224/2016

THE EXECUTIVE ENGINEERS & ANR

..... Petitioners

Through Mr.C.D.Singh and Mr. B.P.Singh,
Advocates.

versus

CHARANPREET KAUR & ORS

..... Respondents

Through Ms.Zubeda Begum and Ms.Sana
Ansari, Advocates

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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08.03.2016

C.M. No.8545/2016 (exemption)

Exemption is allowed subject to just exceptions. Application disposed of.

CM(M) 224/2016 & C.M. No.8546/2016 (stay)

Petitioner (defendant in the Trial Court) is pressing his prayer qua the impugned order only for the purpose of leading evidence in the Trial Court by the defendant as by the impugned order his defence evidence stood closed.

The prayer made in the application is opposed. It is stated that the delay is deliberate and intentional on the part of the petitioner. Learned counsel for the petitioner submits that there are only two witnesses who are to be examined on behalf of the defendant.

Plaintiff evidence stood closed as way back on 23.02.2015, the Department had not cross-examined the witnesses of the plaintiff. Attitude of the Department/petitioner appears to be wholly lackadaisical. It is bordering on the point of negligence. However, in the interest of justice, subject to payment of Rs.25,000/- as costs petitioner is permitted to lead evidence in defence. It is made clear that there are only two witnesses on behalf of the petitioner (defendant in the Trial Court). Affidavits of the two witnesses shall be filed in two weeks from today with advance copy to the respondent (plaintiff in the Trial Court) who shall cross-examine the witnesses on the next date. This Court has been informed that next date fixed before the Trial Court is 17.3.2016. The Trial Court may adjourn the matter on the said date.

With these directions petition disposed of.

INDERMEET KAUR, J

MARCH 08, 2016

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