

\$~28

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CM(M) 256/2016

NATIONAL BUILDING CONSTRUCTION CORPORATION LTD

..... Petitioner

Through Mr.Sanjeev Mahajan, Advocate.

versus

P N YADAV

..... Respondent

Through Nemo.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

%

15.03.2016

C.M. No.9460/2016 (exemption)

C.M. No.9461/2016 (exemption)

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

CM(M) 256/2016 & C.M. No.9459/2016 (stay)

Petitioner-defendant is aggrieved by the order dated 09.02.2016 vide which defendant evidence stood closed. Contention is that this was the first date after the order was passed by the District Judge, Patiala House Courts listing the matter before the concerned Court. On earlier dates DW-1 was present and in fact he had also been cross-examined at length. Attention has been drawn to the earlier orders sheets.

Next date fixed before the Trial Court is 16.3.2016 i.e. the tomorrow. Learned counsel for the petitioner submits that he could not

obtain certified copy of the impugned order till about one month that is why there is a delay in filing the present petition. He undertakes to produce DW-1 (resident of Guwahati) on the next date as it may not be possible to produce him for cross-examination till tomorrow. The Trial Judge will consider the submission and post the matter after 16.3.2016 for the further cross-examination of DW-1. It is undertaken by the learned counsel for the petitioner no other witness apart from DW-1 has to be examined on behalf of the defendant. This order is passed subject to payment of Rs.5000/- as costs.

Petition disposed of.

Order dasti under signatures of the Court Master.

INDERMEET KAUR, J

MARCH 15, 2016

ndn