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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 635/2016 & CM Nos.23781-23783/2016 & CAV 538/2016
RINU SALUJA Petitioner

Through Mr.Prashant Mendiratta, Adv.

versus

INDERJEET SALUJA Respondent
Through Mr.N.K.Jain, Adv.

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **08.07.2016**

Caveat No.538/2016

Since caveator has been represented through counsel, caveat stands discharged.

CM(M) 635/2016

Present Petition is filed seeking to impugn the order dated 17.3.2016, 26.5.2016 and 6.6.2016.

By the order dated 17.3.2016 the right of the petitioner/defendant to cross-examine PW 1 was closed. Similarly, by order dated 26.5.2016 the application filed by the petitioner under Section 151 CPC for recall of order dated 17.3.2016 was dismissed. By order dated 6.6.2016 the right of the petitioner/defendant to lead evidence was also closed and the matter was put up for final arguments.

Learned counsel appearing for the petitioner at the outset has submitted that he would cross-examine PW1 and would lead his evidence without taking any adjournment whatsoever if last and final opportunity is granted. Learned counsel also submits that he has to examine only the defendant/petitioner and no other witness.

The present dispute pertains to father-in-law and daughter-in-law. It would be in the interest of justice that final opportunity is granted to the petitioner. Accordingly, the orders dated 17.3.2016 and 6.6.2016 are set aside subject to payment of costs of Rs.10,000/- which was the cost imposed by the trial Court and which was not paid by the petitioner plus another cost of Rs.10,000/-. The cost will be paid on or before the next date of hearing before the trial Court. It is made clear that the petitioner shall not seek any adjournment whatsoever before the trial Court for the purpose of cross-examination of PW1 or for purposes of leading her evidence.

In view of the above directions, the present petition stands disposed of. All pending applications also stand disposed of.

JAYANT NATH, J

JULY 08, 2016

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