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

+ CM(M) 646/2016

SUNNI MAL

..... Petitioner

Through Mr. Vikas Gautam, Advocate

versus

BRAHM PARKASH

..... Respondent

Through None.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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11.07.2016

CM No.24104/2016 (*exemption*)

Allowed subject to all just exceptions.

CM(M) 646/2016 & CM No.24103/2016 (*stay*)

By the present petition, the petitioner seeks liberty to complete the cross-examination of PW1 which was closed by the learned trial court on 04.06.2016.

The learned counsel for the petitioner has submitted that PW1 is a slow witness and takes his own time to answer/question. Because of this there was delay in completion of the cross-examination. Given the nature of the matter, complete cross-examination of PW1 is necessary. It is contended that the request for the next date was bona fide and there were no intention to delay.

It is further submitted that on 04.06.2016, the learned counsel for the petitioner had cross-examined PW1 for two and half hour, i.e. from 11.00

am to 1.20 p.m. On account of this long period spent for the cross-examination, it was not possible to continue the matter after lunch.

A perusal of the impugned order dated 04.06.2016 shows that these submissions have not been made before the learned trial court.

Liberty is granted to the petitioner to move the learned trial court with a review petition giving details as to why the cross-examination was not completed on 04.06.2016.

With these observations, the present petition is disposed off.

Dasti.

JAYANT NATH, J.

JULY 11, 2016/v