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

+ CM(M) 719/2016 & CM Nos.26695-26696/2016

RAJENDER PRASAD DECEASED THR LRS..... Petitioner
Through Mr.Samrat K.Nigam, Adv.

versus

VIJAY KUMAR (SINCE DECEASED)
THR LRS & ORS Respondent
Through

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER
27.07.2016

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CM No.26695/2016 (exemption)

Exemption allowed, subject to all just exceptions.

CM(M) 719/2016 & CM No. 26696/2016

1. Learned counsel for the petitioner submits that the plaintiff has been casual in prosecuting the suit. He, however, submits that he seeks one opportunity to summon the concerned official to prove the revenue record which have been placed on record of Court file from pages 61 to 101 of the paper book of this Court. He submits that he seeks only one opportunity and if for some reason he is unable to persuade the concerned official to appear his right may be closed. He relies upon an earlier order of the trial Court dated 13.10.2015 whereby he submits that these documents have been on record since 2015 which is duly reflected in the said order of the trial Court and subsequent orders.

2. In view of the above, liberty is granted to the petitioner to move the trial Court with an appropriate application confining his prayer as made herein. In case such an application is made within one week from today the trial Court is requested to consider the same as per law keeping into account the submission of the petitioner that he seeks only one opportunity and no more.

3. Petition stands disposed of. A copy of this order be given dasti to counsel for the petitioner under signatures of the Court Master.

JAYANT NATH, J

JULY 27, 2016

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