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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RFA 609/2017**

BHAGWATI DEVI

..... Appellant

Through: Mr. Dharam Vir Singh, Adv.

versus

PREM LATA AND ANR

..... Respondents

Through: Mr. Devesh Pratap Singh, Adv.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **03.11.2017**

1. This appeal is disposed of as there is no opposition to the same except with respect to imposition of costs because it is stated that the respondents/defendants are being unnecessarily harassed by the suit which has been dismissed by the impugned order by closing the evidence of the appellant/plaintiff.
2. Accordingly, this appeal is allowed by setting aside the impugned orders dated 12.5.2016 and 1.9.2016, subject to payment of costs of Rs.20,000/- to the respondents/defendants. Costs shall be paid within a period of six weeks from today positively by drawing out a cheque in the name of the counsel for the respondents/defendants.
3. It is made clear that appellant will have not more than two

opportunities to complete appellant/plaintiff's evidence in the affirmative, and failing which the right of the appellant/plaintiff to lead evidence shall stand closed.

4. Parties to appear before the District and Sessions Judge, North West, Rohini Courts, Delhi on 30.11.2017 and the District and Sessions Judge will now mark the suit for disposal to a competent court in accordance with law.

VALMIKI J. MEHTA, J

NOVEMBER 03, 2017

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