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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 10/2017 & CM Nos.229/2017 & 230/2017
RADHEY SHYAM SHARMA & ORS Petitioner
Through Mr.H.P.Sharma, Advocate

versus

SAT NARAYAN GOEL Respondent
Through

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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04.01.2017

An advance notice of the petition has been served on the respondent.

But none has appeared on behalf of the respondent.

By the present petition under Article 227 of the Constitution of India the petitioner seeks to impugn the order dated 14.5.2015 and 4.10.2016 by which Plaintiff's Evidence was closed. Subsequently an application filed by the petitioner to recall the order dated 14.5.2015 was also dismissed on 4.10.2016.

Learned counsel appearing for the petitioner has submitted that he only seeks last opportunity to lead his evidence. He submits that he has been diligent in following up but some documents could not be filed alongwith evidence by way of affidavit.

The trial court vide order dated 4.10.2016 has rightly noted that there has been delay on the part of the petitioner in completing his evidence.

However, in the interest of justice and subject to payment of costs of Rs.5,000/-, the petitioner is granted one last opportunity to complete his evidence on the date to be fixed by the trial court for the said purpose. On that date no adjournment or accommodation shall be granted to the petitioner.

Petition stands disposed of. All pending applications, if any, also stand disposed of.

JAYANT NATH, J

JANUARY 04, 2017

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