

CR-5261-2018

Date of decision : 16.08.2018

Smt.Kusum

... Petitioner

Versus

Shimbhu Dayal, deceased through LRs and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGHPresent: Mr.Manish Mehta, Advocate
for the petitioner.**AMOL RATTAN SINGH, J.(ORAL)**

By this petition, the petitioner seeks one opportunity to examine DWs 1, 2 & 3, in view of the fact that even after the application of the petitioner for recalling the order dated December 07, 2017 was dismissed by the trial Court vide the order Annexure P-7, dated 15.05.2018, no rebuttal evidence has been led till date by the respondents-plaintiffs as per the zimni orders produced in Court today, the last one being of August 06, 2018, with the next date of hearing being August 21, 2018.

Consequently, in view of the above, without issuing notice to the respondents-plaintiffs, this petition is disposed of with the impugned order set aside and the petitioner-defendant granted two effective opportunities to lead evidence, subject to payment of Rs.10,000/- as costs to the respondents-plaintiffs.

(AMOL RATTAN SINGH)
JUDGE**August 16, 2018.**

D.K.

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No