

CR-6971-2018

Date of decision : 12.10.2018

Smt.Chandana and others

... Petitioners

Versus

Smt. Aera Kapoor

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Ms. Deepa Jain, Advocate
for the petitioners.

AMOL RATTAN SINGH, J.(ORAL)

Learned counsel for the petitioners submits that with only one witness for the petitioners (defendants) remaining to be examined, though undoubtedly three dates had gone by earlier, the trial Court had closed their evidence and therefore, she seeks one opportunity to examine the remaining witness.

On specific query she submits that even after the impugned order dated August 02, 2018 was passed, the trial has not progressed effectively, as an application had been filed by the respondent which has been disposed of only on September 25, 2018, with the next date of hearing being 15.10.2018 for final arguments.

That being so, subject to the aforesaid contention being correct, the petition is allowed and the impugned order is set aside, subject to the petitioners paying costs of Rs.5000/- to the respondent-plaintiff and examining the remaining witness within 10 days from today.

(AMOL RATTAN SINGH)
JUDGE

October 12, 2018.*D.K./dinesh*

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No