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

+ RFA 283/2017

RADHA KHANNA

..... Appellant

Through: Mr. Vineet Bhagat and Mr. Shreshth
Nanda, Advocates.(9623129877)

versus

JAVED YUNUS & ORS

..... Respondents

Through: Ms. Kanika Sharma, Adv. for R-1

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **21.08.2018**

1. After arguments, it is agreed and accordingly the impugned judgment of the Trial Court dated 22.12.2016 is set aside and now the trial court will decide the suit after trial in accordance with law on all issues of facts and law which arise in the suit.
2. It is however clarified that the appellant/plaintiff will not get more than 3 opportunities to complete her evidence in chief.
3. This appeal is accordingly allowed by setting aside the impugned judgment, subject to the aforesaid observations, and parties will now appear before the District and Sessions Judge, South District, Saket Courts, New Delhi on 11.9.2018 and the District and Sessions Judge will mark the suit for

disposal to a competent court in accordance with law and the observations made in the present order. All issues of facts and law of the respective parties are left open to be decided at the stage of final arguments in the suit.

4. The original documents filed in this Court by the appellant be attached with the trial court file alongwith the necessary endorsement that these documents were filed by the appellant in this Court, and as agreed will be taken as part of the record of the trial court. Also, the original documents filed by the appellant in this Court will remain in the trial court record and will abide by the final judgment in the suit.

VALMIKI J. MEHTA, J

AUGUST 21, 2018

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