

\$~6

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

+ RFA 276/2017

POONAM VERMA

..... Appellant

Through: Mr. Vishwendra Verma, Advocate(M.
No.9871704611)

versus

SIMMI KATHPAL

..... Respondent

Through: Mr. Nitin Mittar, Advocate (M.
No.9891188839)

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **16.08.2018**

1. After arguments, this appeal is disposed of with the consent order that the impugned judgment of the Trial Court dated 5.11.2016 is set aside and both the parties will now lead evidence in support of their respective cases. Both the parties will not get more than four opportunities each to complete their evidence in chief.

2. I may note that appellant/plaintiff may possibly be required to prove the fact that properties purchased by the appellant/plaintiff from the mother of the respondent/defendant Smt. Shanta Satija are under/for separate amounts and have been separately credited in the account of Smt. Shanta Satija i.e the

loan amount in this case has nothing to do with the consideration paid/payable with respect to transaction of purchase of properties by the appellant/plaintiff from Smt. Shanta Satija.

3. Parties are at liberty to file documents alongwith their affidavits by way of evidence in chief and copies of the evidence in chief by way of affidavits and the documents will be given at least four weeks prior to the date fixed for cross-examination of the witnesses of the respective parties. Parties can also summon witnesses and in this regard list of witnesses be filed by the parties within four weeks of the first date which is fixed before the concerned trial court.

4. Parties to appear before the District & Sessions Judge, North West, Rohini Courts, New Delhi on 27th September, 2018 and the District & Sessions Judge will now mark the suit for disposal to a competent court in accordance with law and the observations made in the present order.

Dasti to counsels for the parties.

VALMIKI J. MEHTA, J

AUGUST 16, 2018

Ne