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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 1464/2018
ANAND VARDHAN

..... Petitioner
Through : Mr.Mandeep Singh Vinaik,
Ms.Anjali Sharma and Mr.Deepak
Bashta, Advocates.

versus

SHIV CHARAN DASS (SINCE
DECEASED) & ORS Respondents
Through : Mr.Vijay Gupta and Ms.Geeta Goel,
Advocates.

CORAM:
HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER
% **03.12.2018**
CM APPL.50423/2018

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CM(M) 1464/2018, CM APPL.50422/2018

This petition challenges the orders dated 24.07.2018, 26.09.2018, 14.11.2018 passed by the learned Trial Court whereby the right of the plaintiff/petitioner to cross examine three DWs was closed and review application was also rejected.

The matter is now listed before the learned Trial Court on 05.12.2018 for final arguments. The learned counsel for the petitioner says that he shall under all circumstances conclude the cross examination of all three witnesses on two dates in the next week itself, if he is allowed to do so.

The learned counsel for the respondent appearing on advance notice says though petitioner has delayed the trial.

In view of the submissions of the learned counsels and facts of the case, the impugned orders passed by the learned Trial Court against petitioner are set aside and one last and final opportunity is granted to petitioner to conclude the cross examination of all three witnesses on behalf of defendants, subject to payment of Rs.20,000/- as costs to respondent, on two dates to be fixed the learned Trial Court and the petitioner shall not seek adjournment on the dates so fixed by the learned Trial Court.

Both the parties shall appear before the learned Trial Court on 05.12.2018, who shall fix the dates for cross examination. The learned Trial Court shall endeavour to hear the arguments within this part of the year.

The petition and pending application stands disposed of. Copy of this order be given *dasti* to the parties under signatures of the Court Master. The Registry shall send the copy of this order forthwith to the learned Trial Court for information and compliance.

YOGESH KHANNA, J.

DECEMBER 03, 2018

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