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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 811/2019**
ATUL SHARMA

..... Petitioner

Through : In person.

versus

VIMLA SHARMA

..... Respondent

Through : None.

CORAM:
HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% **22.05.2019**

CM APPL No.24803/2019

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CM(M) 811/2019

This petition is against the order dated 08.05.2019 whereby an application under Order XVIII Rule 17 CPC filed by the petitioner herein to recall PW1 Mrs.Vimla Sharma was dismissed on the ground the deposition of PW1 was commenced on 07.04.2004; her cross examination continued till six dates; her deposition was completed on 03.10.2006 and this application was filed after 12 years of the completion of the deposition.

There is no cogent ground shown by the learned counsel for the petitioner to interfere in the impugned order. Even otherwise if PW1 had deposed as a witness in some other proceedings and if petitioner intends to take benefit of such deposition, he could have summoned

such record during trial.

Since there is no illegality in the impugned order, this petition stands dismissed. Pending application, if any, also stands disposed of.

YOGESH KHANNA, J.

MAY 22, 2019

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