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

+ CM(M) 1079/2018

MIRZA RASHID BEG & ANR Petitioners

Through: Mr. Rajeev Saxena & Mr. Manish
Khurana, Advocates.

versus

KRISHAN KUMAR BAJAJ Respondent

Through: Mr. Tarun Sharma & Mr. Amit Goel,
Advocates.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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26.02.2019

Submissions have been made on behalf of either side.

Vide the present petition, the petitioner assails the impugned order dated 13.07.2018 of the Court of the learned ADJ-13 (Central), THC, Delhi in CS No.16344/16, vide which the right of the plaintiff i.e. the petitioner herein to conduct the cross-examination of DW-1, was closed submitting to the effect that the counsel for the petitioner could not put in appearance, he being before this Court and that the right of the plaintiff to conduct the cross-examination of DW-1 was closed as the witness was 76 years of age.

Taking into account the factum that CM(M) 588/2018 has been allowed vide a separate order of even date, whereby the petitioner thereof i.e. the defendant to CS No.16344/16 in which the order presently impugned also has been passed, has been allowed to conduct the cross-examination of the witness of the plaintiff, in the

circumstances, it is considered appropriate in the interest of justice to grant one single opportunity to the plaintiff to conduct the cross examination of DW-1 as well.

The petition is disposed of accordingly.

ANU MALHOTRA, J

FEBRUARY 26, 2019/NC