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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CM(M) 276/2018 and CM APPL. 8973/2018

DHIR SINGH & ORS

..... Petitioner

Through: Mr. Vivek Kumar, Advocate (M:
9810624170).

versus

REKHA

..... Respondent

Through: Mr. Sidharth Joshi, Ms. Ambareen
sand Mr. Manish, Advocates (M:
9818509714).

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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25.02.2020

An eviction petition was filed under Section 14(1)(a) of the Delhi Rent Control Act, which was withdrawn on 5th May, 2005. Thereafter, the present suit for possession and permanent injunction was filed by the Plaintiff/ Respondent against the Petitioners/Defendants. The issues were framed in the matter, and the Plaintiff's evidence was closed on 8th July, 2015. Thereafter the matter has been adjourned from time to time for Defendants' evidence, however, the same has not been availed of. On 4th May, 2016, the Defendants' evidence was closed. Review was sought of the said order, which was rejected vide order dated 6th December, 2017.

Considering the fact that the ground for non-appearance of the counsel before the Trial Court was the personal difficulty of the counsel, who got delayed while commuting from one court complex to another, this Court is inclined to grant one last and final opportunity to the Defendants to lead their evidence subject to terms. Accordingly, it is directed that the

Defendants shall now lead the evidence of the three witnesses, whose evidence in chief is already on record before the Trial Court, on the date fixed subject to payment of Rs. 30,000/- as costs. The costs shall be paid on or before next date before the Trial Court. If the said witnesses do not appear before the Trial Court, no further opportunity shall be granted.

The petition with all pending applications is disposed of in these terms. No further orders are called for.

PRATHIBA M. SINGH, J.

FEBRUARY 25, 2020/MR