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

% *Date of decision: 10th July, 2024*

+ CM(M) 2882/2024

PREM AGGARWAL & ANR.Petitioners

Through: Mr. Akshat Kumar, Advocate.

versus

ASHWANI PARASHARRespondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

CM APPL. 38028/2024 (exemption)

Exemption allowed subject to all just exceptions.

CM APPL. 38030/2024 (permission to file lengthy synopsis and list of dates)

For the reasons stated in the application, the application is allowed.

CM(M) 2882/2024 & CM APPL. 38027/2024 (stay) & CM APPL. 38029/2024 (leave to file additional documents)

1. Petitioners herein are plaintiffs before the learned Trial Court and are aggrieved by order dated 06.05.2024 whereby the defendant has been permitted to summon one Smt. Mridula Garg as witness and has also been permitted to summon concerned officials from DDA along with the relevant record.

2. My attention has also been drawn towards the earlier order



dated 08.02.2019, passed by this Court in CM(M) 1206/2018.

3. After hearing the arguments for some time, learned counsel for the petitioners states that he does not press the present petition but seeks a direction from this Court to the learned Trial Court that no further opportunity, on any ground whatsoever, be given as the case is very old and the applications in question were also moved very belatedly by the defendant (respondent herein).

4. In view of the aforesaid, the present petition is disposed of as not pressed.

5. However, since the case is very old, learned Trial Court would ensure that the defendant's evidence is concluded on 15.07.2024 itself. Needless to say, the opportunity given to defendant for said date has to be interpreted as effective one.

(MANOJ JAIN)
JUDGE

JULY 10, 2024
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