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

+ **CM(M) 4012/2024**

RAJESH KAPOOR

.....Petitioner

Through: Mr. Gobind Malhotra, Mr. Rehan
Saifi, Mr. Gupreet Singh & Ms.
Namrata Malhotra, Advs

versus

M/S SHALINI SAWHNEY

.....Respondent

Through: Mr. Raghavendra Mohan Bajaj &
Mr. Kumar Karan, Advs alongwith
respondent in person.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

18.12.2024

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CM(M) 4012/2024 & CM APPL. 71723/2024 (stay)

1. The learned Trial Court vide order 22.02.2024 closed the Defendant Evidence ["DE"]. In the nutshell the prayer of the petitioner is for recall of the impugned order dated 22.02.2024 and for granting an opportunity to lead the DE.
2. Learned counsel for the respondent, under instructions from the respondent, states that respondent has no objection in case the petitioner is granted opportunity to lead the DE, subject to the direction being issued for expediting the disposal of the case.
3. For the appropriate adjudication of the dispute, it would be apposite,



if the petitioner is granted opportunity to lead DE.

4. Keeping in view, in the interest of justice and concession made on behalf of the respondent, petition is allowed and impugned order dated 22.02.2024 is set aside with direction to the learned Trial Court to make all possible endeavor to expedite the disposal of the case.

5. Learned counsel for the parties are also requested to render their due assistance and co-operation to the learned Trial Court in the expeditious disposal of the case.

6. At this stage, learned counsel for the petitioner submits that all the witnesses of the defendant are residents of Rajasthan and the matter is listed before the learned Trial Court tomorrow i.e., 19.12.2024 and it may not be possible for the witnesses to reach Court by tomorrow.

7. In view of above, the learned Trial Court is directed to grant short adjournment to the petitioner for producing all the three witnesses on the date so fixed.

8. The petition is disposed of in terms of the above order.

RAVINDER DUDEJA, J

DECEMBER 18, 2024
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