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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 3314/2024**
VARUN GUPTAPetitioner

Through: Mr. Rakesh Kumar Khanna, Senior
Advocate with Mr. Ganesh Khanna,
Mr. Aditya P. Khanna and Ms. Arushi
Jindal, Advocates

versus

SUMAN GROVER & ANR.Respondent
Through: Mr. Avinash Trivedi and Mr. Rahul
Aggarwal, Advocates

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
21.04.2025

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CM APPL. 72990/2024, CM APPL. 72992/2024, CM APPL. 75128/2024
CM APPL. 1901/2025, CM APPL. 22634-22635/2025 & CM APPL.
2554-2555/2025

1. Present petition was disposed of by this Court on 27.09.2024.
2. Para-12 of the aforesaid order reads as under: -

“12. Keeping in mind the overall facts and circumstances of the case and in order to cut short any possible controversy which may arise in future, the petition is disposed of with the direction that PW-2 (Mr. Praveen Grover) would be permitted to enter into witness box for formally tendering the above said certificate and thereafter, the defendant would be permitted to cross-examine the said witness, limited to the aspect of said certificate and any document related to the above said certificate.”

3. Application in question has now been moved from the side of petitioner/defendant and according to him, several relevant questions, which had been put to PW2 Mr. Praveen Grover, were objected to on the premise that those did not fall within the scope of permission aforesaid.



4. The order is quite clear and the permission which has been granted to defendant is to cross-examine PW2 Mr. Praveen Grover with respect to documents i.e. electronic record and supporting affidavit submitted under Section 65-B of Indian Evidence Act (now Section 63 of Bharatiya Sakshya Adhiniyam, 2023).

5. Since the order is very clear and the direction is very specific, aforesaid order does not require any clarification or modification.

6. At the same time, even if there is some objection raised in this regard by the opposite side, it is duty of the learned Trial Court to see whether such question, essentially, relates to aforesaid documents and certificate or not. At times, the question may have some connection with the document, *albeit*, a remote one and, therefore, Court has to consider any such objection appropriately and within the confines of permission granted by this Court.

7. The next date before the learned Trial Court is stated to be 29th instant and Mr. Rakesh Kumar Khanna, learned Senior Counsel for petitioner, on instructions, submits that concerned counsel would ensure that no question is put beyond the aforesaid permission and best effort would be made to wrap up the cross-examination same day. Learned counsel for respondents/plaintiffs also assures that he would not raise any unnecessary objection and would be more than happy if the cross-examination is rather concluded that day itself.

8. The applications stand disposed of in aforesaid terms.

MANOJ JAIN, J

APRIL 21, 2025/dr/js