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

% *Date of decision: 16th July, 2024*

+ CM(M) 75/2024

GAURI SHARMAPetitioner

Through: Mr. Rajeev Kr. Jain, Advocate.

versus

SEEMA SHARMARespondent

Through: Mr. Anil Dwivedi, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT (oral)

1. Mr. Anil Dwivedi, learned counsel for respondent is present with respondent.
2. Heard both the sides.
3. During course of the arguments, learned counsel for respondent has stated that he does not want to delay his own petition any further and would have no objection if, without prejudice to his rights and contentions, one more opportunity is granted to the petitioner herein to cross-examine the witnesses examined by plaintiff-Seema Sharma.
4. It is informed that in support of her case, the plaintiff had examined seven witnesses.
5. Learned counsel for petitioner states that there is no intention to delay the proceedings in any manner, whatsoever, and he only requires one effective opportunity to cross-examine all such witnesses.



6. In view of the aforesaid, the present petition is disposed of directing the learned Trial Court to give one effective opportunity to the petitioner herein to cross-examine the aforesaid seven witnesses, already examined by the plaintiff-Seema Sharma.

7. It will be up to the learned Trial Court to fix up the date for recording of such examination after assessing its own board. It may record evidence itself or direct the parties to go before the learned Local Commissioner as done in the past. Such order be passed after ascertaining the willingness of the parties for bearing fee of the learned Local Commissioner.

8. Simultaneously, the petitioner is burdened with cost of Rs. 20,000/- for causing delay in the matter. Such cost would be paid to the plaintiff on the next date fixed before the learned Trial Court.

9. Petition stands disposed of in the aforesaid terms.

(MANOJ JAIN)
JUDGE

JULY 16, 2024/sw