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

+ **CM(M) 4007/2024**

SH ASHOK KUMAR BAGGAPetitioner

Through: Mr. Praveen Suri, Adv.

versus

SMT RAJVINDER KAURRespondent

Through: Mr. Avtar Singh and Mr. Arjun
Dhamija, Adv.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **19.12.2024**

CM(M) 4007/2024, CM APPL. 71696/2024 (stay)

1. The learned counsel for petitioner submits that on the date fixed 29.10.2024, petitioner was not well and by the time the counsel reached the court, the court had already closed the plaintiff's evidence.
2. He prays for one opportunity to cross-examine PW-1, subject to any condition imposed by the Court.
3. The petition is opposed by the learned counsel representing the respondent arguing that there is no justified reason as to why the witness was not cross-examined on 29.10.2024.
4. Keeping in view, the totality of facts and circumstances and, in the interest of justice, it is deemed appropriate to grant one more opportunity to the petitioner to cross-examine PW-1.
5. Petition is, therefore, allowed and impugned order dated 29.10.2024 is



set aside, subject to cost of Rs.5,000/- to be paid by the petitioner to the respondent.

6. This order is further subject to the condition that the petitioner shall get only one opportunity to cross-examine PW-1 and shall not seek adjournment for the said purpose on account of any reason.

RAVINDER DUDEJA, J

DECEMBER 19, 2024/sky