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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 21/2023 & CM APPL. 728/2023**
NANNOO

.....Petitioner

Through: Mr. Tanmay Mehta and Mr. Manish Gandhi, Advocates for LR's (a) & (b).
Mr. Rajesh Kumar and Mr. Vaibhav Singh, Advocates for LR's C to E.

versus

VIKAS SHARMA & ORS.

.....Respondent

Through: Mr. Kirtimaan Singh, Sr. Advocate with Mr. Piyush Bhardwaj, Mr. Rajat Rajoria Singh, Mr. Varun Bhadana and Mr. Satyam Pandit, Advocates.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
06.08.2025

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1. Petitioner is defending a suit for recovery of possession, arrears and damages/*mesne* profits.
2. The challenge in the present petition is to the orders dated 28.07.2022 and 31.10.2022.
3. The prime grievance is with respect to the cross-examination of PW-1.
4. When the present petition was taken up on 09.01.2023, this Court ordered that the learned Trial Court may proceed further with the cross-examination of PW-1 while also supplementing that same would be subject to the outcome of the present petition.
5. It is apprised that PW-1 was, subsequently, cross-examined on two

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different dates and was discharged.

6. Learned counsel for petitioner submits that though the cross-examination was concluded but some relevant questions have been left out.

7. He submits that as per the instructions, the petitioner is no longer interested in pressing the present petition but seeks liberty of one last and final opportunity to further cross-examine PW1 and to conclude the same on the next date of hearing before the learned Trial Court, which is stated to be 01.09.2025.

8. Learned counsel for petitioner, who represents LR's A and B and LR's C to E of defendant No.1 assure that on said date itself, they would conclude the cross-examination, positively.

9. Learned Senior Counsel for respondent/plaintiff though opposes the abovesaid request but, on instructions, submit that he would also have no objection if the abovesaid liberty is granted to the petitioner.

10. In view of the above, the present petition is disposed of as not pressed with the direction that the cross-examination of PW-1, which was being recorded and further recorded by the learned Trial Court, in terms of the liberty given by this Court, would be read in evidence and, simultaneously, the petitioner herein would be entitled to further cross-examine PW-1, on the next date of hearing.

11. However, it is clarified that the petitioner herein would be entitled to only one effective opportunity in this regard and no further request of extension would be entertainable.

12. The suit in question is of the year 2014 and learned Trial Court would make best endeavour to decide the same as expeditiously as possible.



Needless to say, both the sides would render due assistance and cooperation in this regard to the learned Trial Court.

13. The petition stands dismissed as withdrawn in abovesaid terms.
14. Pending application also stands disposed of in aforesaid terms.

MANOJ JAIN, J

AUGUST 6, 2025/ss/js