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

+ **CM(M) 422/2025**

INDIRA GANDHI LIBRARY SOCIETY AND ANR.Petitioners

Through: Mr. Sanjeev Sindhvani, Sr. Adv. with
Mr. Sunil Chauhan and Ms. Vatsala
Chauhan, Advs.
Petitioner no.2 in person.

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Mr. Arjun Mahajan, SC for DDA
with Mr. Apoorv Upmanyu and Mr.
Harsh Vashisht, Advs for R-6.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

03.03.2025

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CM APPL. 12659/2025 (EXEMPTION)

Allowed, subject to all just exceptions.

The application stands disposed of.

CM(M) 422/2025

1. This petition under Article 227 of the Constitution of India impugns the order dated 25.02.2025 passed by the learned Civil Judge-06, District Central, Tis Hazari Courts Delhi in Suit bearing No. CS SCJ 598103/2016 titled as “ Indira Gandhi Library Society & Ors. Vs. Union of India & Ors.”
2. The Court takes note of the order dated 18.02.2025 passed in CM(M) 332/2025 whereby this Court had granted opportunity to the petitioners to produce PW Satpal, subject to deposit of costs of Rs. 20,000/- with the



Welfare Fund of Delhi High Court Bar Association with further condition that petitioner shall not seek adjournment on account of any reason.

3. Mr. Sindhwani, learned senior counsel appearing for the petitioners submits that PW Satpal could not appear before the learned Trial Court on the date fixed i.e., 25.02.2025 due to the reason that the order of the High Court was uploaded just an evening before and PW Satpal was not available on 25.02.2025 and for the same reason, the cost also could not be deposited in terms of the order of this Court. He further submits that the cost of Rs. 20,000/- has since been deposited with DHCBA Lawyers, Social Security and Welfare Fund, New Delhi.

4. Learned senior counsel further submits that delay in depositing the cost and non production of the witness was on account of the aforesaid bonafide reason and was not deliberate. He seeks only one more opportunity to examine the witness.

5. Learned counsel for the respondent fairly states that he has no objection in case one more opportunity is granted to the petitioners to lead its evidence.

6. Keeping in view the entire facts and circumstances, and in particular the fact that the order dated 18.02.2024 was uploaded as late as on 24.02.2025 i.e., just one day before the date fixed before the learned Trial Court, I deem it appropriate to grant one more opportunity to the petitioner to produce PW Satpal on the date fixed before the learned Trial Court.

7. It is made clear that petitioner shall produce the witness at its own responsibility and shall not seek any adjournment this time on account of any reason whatsoever.



8. The petition accordingly stands disposed of.
9. A copy of this order be given dasti under the signatures of the Court Master.

RAVINDER DUDEJA, J

MARCH 3, 2025/ib/r