



2025:DHC:6343



\$~107

* IN THE HIGH COURT OF DELHI AT NEW DELHI

% *Date of Decision: 29th July, 2025*

+ CM(M) 1388/2025 & CM APPL. 45671-45673/2025

PRITPAL SINGH BHATIA

.....Petitioner

Through: Mr. Mukesh M. Goel, Adv. (through
VC).

versus

NARENDER KUMAR

.....Respondent

Through: None.

CORAM:**HON'BLE MR. JUSTICE MANOJ JAIN****J U D G M E N T (oral)**

1. Petitioner is defending a suit for recovery.
2. When the case reached at the stage of defendant's evidence, since affidavit of defendant was not filed, defendant was burdened with cost. When an application was moved seeking waiver of such cost, while disposing of such application, defendant was burdened with further cost.
3. Total unpaid cost is to the tune of Rs.30,000/-.
4. The sole request is that cost be waived as it had been imposed without reason.
5. The matter is fixed for today itself before learned Trial Court for defendant's evidence.
6. Having heard learned counsel for the petitioner and after perusal of material on record, it can be safely said that there is no merit in the petition. No party can be permitted to invoke supervisory jurisdiction under Article 227 of Constitution of India with prayer that the cost may be reduced or



2025:DHC:6343



waived. The Court can come to rescue of any such party only when the cost is unconscionable or exorbitant or absolutely unwarranted.

7. On careful perusal of impugned order, this Court is of the considered opinion that there is no compelling reason to interfere with the impugned order.

8. Resultantly, present petition is dismissed *in limine*. However, at the same time, petitioner is granted 10 days' time to be reckoned from today, to clear the unpaid costs.

9. Pending applications, if any, also stand disposed of in aforesaid terms.

10. A copy of this order be given *dasti* under the signatures of the Court Master.

(MANOJ JAIN)
JUDGE

JULY 29, 2025/ck/SS