



2025:DHC:7110



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

% *Date of Decision: 19th August, 2025*

+ CM(M) 1549/2025 & CM APPL. 50873-50874/2025

OM PRAKASH

.....Petitioner

Through: Mr. Vaibhav Sinha, Advocate
(Through VC)

versus

SATISH KUMAR & ORS.

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

CM APPL. 50874/2025 (exemption)

Exemption allowed, subject to all just exceptions.

CM(M) 1549/2025 & CM APPL. 50873/2025

1. Petitioner is defendant no. 1 before the learned Trial Court.
2. He moved an application moved under Order XVIII Rule 17 CPC. Such application has been allowed and PW2 Amit Kumar has been recalled for further cross-examination by him.
3. However, while allowing such application, defendant no. 1 has also been burdened with cost of Rs. 40,000/- and the limited challenge in the present petition is with respect to the aforesaid cost of Rs. 40,000/-.
4. It is contended that cost is excessive and unwarranted.
5. Fact remains that supervisory jurisdiction under Article 227 of the Constitution of India cannot be permitted to be invoked merely for the abovesaid reason and the Court would interfere only when cost seems completely unconscionable.



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6. No such situation exists herein.
7. The present petition is accordingly dismissed.
8. Let the cost be cleared by next date given in the suit in question.

(MANOJ JAIN)
JUDGE

AUGUST 19, 2025/dr/shs