



2025:DHC:7759



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

% Date of Decision: 04th September, 2025

+ CM(M) 1727/2025 & CM APPL. 56030/2025

TRISHNA & ANR.

.....Petitioner

Through: Mr. F K Jha with Ms. Shalini Jha, Mr. Gaurav Jha, Mr. Aryaman Singh, Advocates.

versus

SEEMA & ANR.

.....Respondents

Through: None.

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

1. Petitioners are defendant Nos. 2 and 3 before the learned Trial Court and are aggrieved by order dated 11.03.2025 to the extent it burdens them with cost of Rs. 25,000/-.
2. The order dated 11.03.2025, *inter alia*, records that the defendants wanted to bring on record one additional fact with respect to the one *Will* executed by Mr. Kalu Ram and, though, the plaintiffs had apprised the learned Trial Court that such request was coming up after a long gap of seven years, they conceded to the abovesaid request and it was in the abovesaid backdrop, that while alongwith the request of the defendants, they were also burdened with a cost of Rs. 25,000/-.
3. When such defendants moved an application seeking waiver of the cost, their such request was declined by the learned Trial Court on 28.07.2025 and, since on that day, neither the plaintiff nor the defendant had even bothered to file their respective affidavits of admission and denial of the documents, both the sides were burdened with further cost of Rs. 5,000/- each.



2025:DHC:7759



4. As already noticed above, the grievance is only with respect to the imposition of cost.
5. While exercising supervisory power, the Court would not interfere with respect to imposition of cost, unless, the cost is totally arbitrary or unconscionable. Unfortunately, the case in hand, neither of the abovesaid situations exists and, therefore, the present petition is dismissed.
6. Pending application also stands disposed of in aforesaid terms.

MANOJ JAIN, J

SEPTEMBER 4, 2025/sw/PB