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

+ **CM(M) 4016/2024**

**KNEWTON ACADEMY SOFTECH SOLUTION PVT LTD &
ANR.Petitioners**

Through: Mr. Dinesh Kumar, Adv.

versus

DHARAMVIR SINGH & ORSRespondents

Through: Ms. Smita Maan, Mr. Vishal Maan &
Mr. Jayant Twivedi, Advs

**CORAM:
HON'BLE MR. JUSTICE RAVINDER DUDEJA**

ORDER

% **09.01.2025**

CM APPL. 71851/2024 (EXEMPTION)

CM APPL. 71852/2024 (EXEMPTION)

Allowed, subject to all just exceptions.

Both the applications stand disposed of.

CM(M) 4016/2024 & CM APPL. 71850/2024 (Stay)

1. The present petition filed under Article 227 of the Constitution of India challenges the order dated 06.11.2024 and for grant of permission to cross examine PW-1.
2. Perusal of the impugned order dated 06.11.2024 reveals that PW-1 was partly cross-examined. During cross examination, the Trial Court disallowed certain questions to be put to the witnesses on the ground that they were irrelevant.
3. The learned Trial Court advised the learned counsel to only put the



relevant questions, which are not beyond the purview of the issues framed. The Trial court also observed that there was no issue with regard to the title/ownership.

4. The trial court also observed that issues framed were only with regard to the entitlement of the plaintiff to claim arrears of rent.

5. However, it appears from the order that counsel for the petitioner insisted that he would be putting questions pertaining to the ownership also upon which the court directed, in case irrelevant questions are put to the witness including question relating to the ownership, the same would be disallowed with cost.

6. The Trial court thereafter granted opportunity to the petitioner to put the relevant question to the witness but such opportunity was not availed. No further cross examination of PW-1 was conducted and therefore, learned Trial Court was constrained to discharge PW-1.

7. Learned counsel for the petitioner submits that such questions were put in cross examination to determine as to which of the plaintiffs was entitled for the recovery of arrears of rent and for determination of the same, question relating to the ownership are relevant.

8. After part submissions, the learned counsel fairly states that if granted an opportunity to cross-examine PW-1, he undertakes that he would only put questions which are relevant and germane to decide the question of payment of arrears of rent.

9. The request made is not opposed by learned counsel for the respondents. The Trial Court was otherwise also inclined to grant an opportunity to the petitioner to cross examine PW-1.

10. In view of the aforesaid, the present petition is disposed of with



direction to the learned Trial Court to grant another opportunity to the petitioner to further cross examine PW1.

11. Needless to say that only relevant questions be permitted to be asked to the witness as per the law.

RAVINDER DUDEJA, J

JANUARY 9, 2025

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