



2026:DHC:1386



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of Decision: 17th February, 2026

+ CM(M) 238/2026

SHRI GIAN CHAND RALHAN

.....Petitioner

Through: Mr. Ajay Gupta, Ms. Surbhi Gupta
and Mr. Anant Gupta, Advocates.

versus

SHRI GURVINDER SINGH BAKSHI

.....Respondent

Through: Mr. Sumeet Kaul and Mr. Himanshu
Singhal, Advocates.**CORAM:****HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA****ORDER (Oral)****Rajneesh Kumar Gupta, J.**

1. This hearing has been conducted through hybrid mode.

CM(M) 238/2026 & CM APPL. 6415/20262. The present petition has been filed by the petitioner under Article 227 of the Constitution of India, 1950, assailing the order dated 14th November, 2025, passed by the learned Trial Court in CS DJ No. 357/2020, whereby the question put by the petitioner/defendant to the PW1 (respondent) in his cross-examination, regarding receiving of the notice marked as PW1/DX1 has been declined.

3. Heard. Record perused.

4. The relevant portion of the cross-examination of PW1 dated 14th November, 2025 reads as follows:*“At this stage, ld. counsel for the defendant has shown the copy of the purported notice under Order XII rule 8 CPC*



*dated 11.11.2025 given by the defendant to the plaintiff, to the witness and has asked the witness as to whether the said notice was received by him. For identification sake, the said notice is marked as **Mark PWI/DXL**.*

(Court observation:- the question is declined as order XII rule 8 forms part of chapter 12 of CPC on admissions and is prior to chapter 14 pertaining to settlement of issues etc. Hence the said purported notice dated 11.11.2025 being issued after framing of issues cannot be put to the witness in evidence)"

5. This Court has also perused the alleged notice placed on record by the petitioner, and the said notice was said to be sent to the respondent through speed post. Keeping in view these circumstances, no prejudice would be caused to the respondent, if the petitioner is allowed to put a question to him during cross-examination as to whether the said notice has been received by him.
6. Accordingly, in the interest of justice, the present petition is allowed and the petitioner is permitted to put only the aforesaid question regarding receipt of the said notice to PW-1. In this respect, let PW-1 be examined on the date already fixed in the matter by the trial court or on any other date as may be convenient to the trial Court.
7. In view of thereof, the petition is disposed of in the above terms. Pending application(s), if any, also stand disposed of.
8. Copy of this order be given *Dasti*, under the signatures of Court Master.

RAJNEESH KUMAR GUPTA, J

FEBRUARY 17, 2026/v/isk