



2026:DHC:1679



\$~69

* **IN THE HIGH COURT OF DELHI AT NEW DELHI***Date of Decision: 25th February, 2026*

+ CM(M) 437/2026, CM APPL. 12914/2026 & CM APPL. 12915/2026
TEERTHANKAR MAHAVEER UNIVERSITYPetitioner
Through: Mr. Annirudh Sharma and Mr. Ankit Swami, Advs.

versus

HARMEET SINGH AND ANR.Respondents
Through: Mr. Jai Sahai Endlaw and Mr. Ashish Kumar, Advs.

CORAM:
HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA

ORDER (Oral)

Rajneesh Kumar Gupta, J.

1. This hearing has been conducted through hybrid mode.
2. The present petition has been filed by the petitioner under Article 227 of the Constitution of India, 1950 assailing the order dated 15th July, 2025 passed by the learned Trial Court in Civil Suit No. 490/2021, whereby the evidence of the petitioner/defendant has been closed.
3. Learned counsel for the respondents appears on advance notice and accepts notice.
4. The matter is taken up for hearing with the consent of the learned counsel for the parties.
5. Heard. Record perused.
6. Learned counsel for the petitioner submits that on 15th July, 2025, the witness/DW-1 could not be examined as the main counsel was unwell. It is



2026:DHC:1679



further submitted that denial of opportunity to examine the petitioner's witness would cause grave prejudice to the defence of the petitioner and the petitioner shall conclude his evidence on a single date, if one opportunity is granted to him.

7. *Per contra*, learned counsel for the respondents has argued that the learned Trial Court has passed the impugned order after granting sufficient opportunities to the petitioner. It is further argued that the present petition has been filed only to further delay the proceedings of the suit.

8. Keeping in view the facts and circumstances of the case and in the interest of justice, this Court is of the opinion that the petitioner can be granted one more opportunity to examine DW-1 only, who has already been partly examined.

9. Accordingly, one more opportunity is granted to the petitioner to examine the DW-1, subject to payment of costs of Rs. 20,000/- to the opposite party. The learned Trial Court may permit the examination either on the date fixed, or on any other date convenient to the learned Trial Court.

10. The petition is disposed of in the above-stated terms. Pending application(s), if any, also stands disposed of.

RAJNEESH KUMAR GUPTA, J

FEBRUARY 25, 2026/sds/ik