



2026:DHC:4466



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of Decision: 19<sup>th</sup> May, 2026***+ **CM(M) 500/2026 & CM APPL. 15167/2026****R AND R CONSULTING****.....Petitioner**Through: **Mr. Ankit Khurana and Ms. Taniya,  
Advocates.**

versus

**SHRI MIRZA MOHD KHALI****.....Respondent**Through: **Mr. Dhruv Kapur and Mr. Satyam  
Pandey, Advocates.****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 on behalf of the petitioner/defendant under Article 227 of the Constitution of India, 1950, assailing the order dated 27<sup>th</sup> February, 2026 passed by the learned Trial Court in CS No. 476/2025, whereby the right of the petitioner/ defendant to lead his evidence was closed.
3. Heard. Record perused.
4. Learned Counsel for the petitioner has argued that the Trial Court has closed the evidence of the petitioner without giving him sufficient opportunity and the denial of such opportunity would cause grave prejudice to the case of the petitioner.
5. At the outset, learned Counsel for the respondent has submitted that the respondent has no objection if one more opportunity is granted to the



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petitioner to lead evidence, subject to payment of costs.

6. It is submitted that the next date of hearing before the learned Trial Court is 23<sup>rd</sup> May, 2026. Learned Counsel for the petitioner undertakes to file the affidavit in evidence on behalf of the petitioner in the Trial Court before the next date of hearing, with an advance copy thereof to the opposite side.

7. Keeping in view the facts and circumstances of the case, this Court is of the opinion that it would be in the interest of justice, if one more opportunity is granted to the petitioner to lead evidence, as the respondent can be compensated with costs. Accordingly, one more opportunity is granted to the petitioner to lead his evidence, subject to payment of costs of Rs. 2,000/- (Rupees Two Thousand Only) to the respondent.

8. It shall be open to the learned Trial Court to record the evidence on the date already fixed or on any other date as may be convenient to the Trial Court.

9. The present petition is disposed of in the above said terms. All pending application(s), if any, also stand disposed of.

**RAJNEESH KUMAR GUPTA, J**

**MAY 19, 2026/nd/tp**