



2026:DHC:2531



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

+ CM(M) 626/2026, CM APPL. 18900/2026 & CM APPL. 18901/2026
SHRI GIAN CHAND RALHANPetitioner

Through: Mr. Jai Sahai Endlaw and Mr. Zubin
M. John, Advs.

versus

SHRI GURVINDER SINGH BAKSHIRespondent

Through: Mr. Chandan Bhatia, Mr. Sumeet
Kaul, Mr. Banke Bihari J. and Mr.
Sachin Dagar, 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 on behalf of the petitioner/defendant under Article 227 of the Constitution of India, 1950, assailing the order dated 17th March, 2026 passed by the learned Trial Court in case bearing No. CS DJ 357/2020, whereby the defence evidence of the petitioner has been closed.
3. Learned Counsel for the respondent appeared on advance notice and accepts notice.



4. With the consent of both the parties, the matter is taken up for hearing. Record perused.
5. Learned Counsel for the petitioner submits that the petitioner has already filed his affidavit by way of evidence. However, owing to his advanced age of about 96 years and his medical condition, he was unable to appear before the Trial Court for examination. It is further submitted that the petitioner has duly authorized his son, namely Mr. Sanjeet Ralhan, to depose on his behalf as his attorney. The affidavit of evidence of the said attorney has also been filed and a copy thereof has been supplied to the learned Counsel for the respondent. It is also submitted that the petitioner has only to examine the said attorney.
6. *Per Contra*, learned Counsel for the respondent has argued that sufficient opportunities have already been granted by the Trial Court to the petitioner to lead evidence. However, despite such opportunities, no evidence was led. It is further argued that the present petition has been filed only with a view to delay the proceedings and is liable to be dismissed.
7. Keeping in view the facts and circumstances of the case, particularly considering that the petitioner is about 96 years of age and wants to examine his son as his attorney in evidence, 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 his evidence, as the respondents can be compensated by way of costs. Accordingly, one more opportunity is granted to the petitioner to lead his evidence by way of examination of Mr. Sanjeet Ralhan, subject to payment of costs of Rs. 5,000/- (Rupees Five Thousand Only) to the respondents.
8. It shall be open to the learned Trial Court to record the evidence of the petitioner on the date already fixed or on any other date convenient to the



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learned Trial Court.

9. Accordingly, the present petition is disposed of in above-terms.
Pending application (s), if any, also stands disposed of.

RAJNEESH KUMAR GUPTA, J

MARCH 25, 2026/sds/tp