



2026:DHC:4534



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of Decision: 20th May, 2026

+ CM(M) 1191/2026, CM APPL. 34698/2026
NARAIN WOOD PVT. LTD.

.....Petitioner

Through: Mr. Pranav Gambhir and Mr. Vipin
Bhasker, Advocates.

versus

SNEH BABUTA&ANR.

.....Respondents

Through: Mr. Ajay Uppal, Advocate (through
VC).

CORAM:**HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA****ORDER (Oral)****Rajneesh Kumar Gupta, J.**

1. This hearing has been conducted through hybrid mode.

CM APPL. 34699/2026 (for exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

CM(M) 1191/2026 & CM APPL. 34698/2026

3. The present petition has been filed by the petitioner under Article 227 of the Constitution of India, 1950, assailing the order dated 17th February, 2026 passed by the learned trial court in CS (COMM) 469/2023, whereby the applications filed by the petitioner/plaintiff under Order XI Rule 1 read with Order VII Rule 14 and Section 151 of the Code of Civil Procedure, 1908 ('CPC') for bringing on record additional documents, has been dismissed, as well as the subsequent order dated 25th April, 2026, whereby the application filed on behalf of the petitioner/plaintiff under Order VI Rule 15 & 15A read with Section 151 of the CPC for striking off the defense of the defendants has also been dismissed.

4. Heard. Record perused.



2026:DHC:4534



5. Learned counsel for the respondents has appeared on advance notice and accepts notice.
6. During course of the arguments, learned counsel for the petitioner submits that he is not pressing for any other relief except for the relief that the petitioner be given an opportunity to cross-examination of DW-1. It is further submitted that if opportunity to cross-examine the said witness is not granted, grave prejudice would be caused to the case of the petitioner.
7. Learned counsel for the respondents has argued that the petitioner has failed to cross-examine the DW-1 despite sufficient opportunities having already been granted to the petitioner.
8. Keeping in view the facts and circumstances of the case, this Court is of the view that it would be in the interest of justice, if one opportunity is granted to the petitioner to cross-examine DW-1, as the respondents can be compensated with costs. Accordingly, one opportunity is granted to the petitioner to cross-examine DW-1, subject to payment of costs of Rs. 3.000/- (Rupees Three Thousand Only) to the respondents.
9. Learned counsels for the parties submitted that the matter is fixed for today before the trial court at 11:30 A.M. Both the counsels shall make an appropriate request before the trial Court to adjourn the matter for cross-examination of DW-1 on a subsequent date, as may be convenient to the trial Court.
10. The present petition is disposed of in the above terms. Pending application(s), if any, also stand disposed of.

RAJNEESH KUMAR GUPTA, J

MAY 20, 2026/v/isk