



\$~56

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Decision: 22nd May, 2026

+ CM(M) 1213/2026, CM APPL. 35492/2026 & CM APPL. 35493/2026

JAI PRAKASH

.....Petitioner

Through: Mr. Pradeep Bhardwaj, Advocate
through VC.

versus

MOHD. RAJU KHAN & ORS.

.....Respondents

Through: Mr. Vipin K. Saini, Advocate for R-1
& 2.

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 under Article 227 of the Constitution of India, 1950, assailing the order dated 01st April, 2026, passed by the learned Trial Court in CS DJ No. 598/2016 (9286/2016), whereby the right of the petitioner to cross-examine PW-1 has been closed.
3. Heard. Record perused.
4. Learned Counsel for the petitioner has argued that the learned Trial Court has closed the right of the petitioner to cross-examine PW-1 without appreciating the facts of the case and the denial of such opportunity would cause grave prejudice to the case of the petitioner. It is further argued that the petitioner be granted one more opportunity to cross-examine PW-1, as it is necessary for the proper adjudication of the matter.



2026:DHC:4618



5. Learned Counsel for respondent Nos. 1 and 2 has argued that sufficient opportunities have already been granted to the petitioner to cross-examine PW-1, and there is no infirmity in the impugned order and the petition has been moved only to further delay the disposal of the case.
6. 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 cross-examine PW-1, as the respondents can be compensated by way of costs. Accordingly, one more opportunity is granted to the petitioner to cross-examine PW-1, subject to payment of costs of Rs. 5,000/- (Rupees Five Thousand Only) to the respondent nos. 1 and 2.
7. It shall be open to the learned Trial Court to allow cross-examination of PW-1 on the date already fixed or on any other date as may be convenient to the Trial Court.
8. 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 22, 2026/MR/TP