



2026:DHC:4761



\$~12

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

Date of Decision :26th May, 2026

+ CM(M) 3976/2024 & CM APPL. 70631/2024

AZAB SINGH

.....Petitioner

Through: Mr. Atin Handuja, Advocate (Through VC).

versus

SHREE SHYAM ESTATE DEVELOPERS

.....Respondent

Through: Mr. Mandeep Kumar Sharma and
Ms. Poonam Sharma, 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 under Article 227 of the Constitution of India, 1950, assailing the order dated 14th November, 2024 passed by the learned Trial Court in CS DJ No. 403/2023, whereby the right of the petitioner/defendant to cross-examine the PW-1 has been closed
3. Heard. Record perused.
4. At the outset, learned Counsel for the respondent/plaintiff has submitted that the respondent has no objection if one more opportunity is granted to the petitioner to cross-examine PW-1, however, it should be subject to payment of exemplary costs.



2026:DHC:4761



5. Learned counsel for the petitioner has submitted that in a separate petition bearing no. **CM(M) 3977/2024**, this Court has passed an order directing that the written statement filed on behalf of the petitioner be taken on record. He further submits that in case no opportunity is granted to the petitioner to cross examine PW-1, grave prejudice would be caused to the case of the petitioner.
6. Keeping in view the facts and circumstances of the case and the submissions of the learned Counsel for the respondent, 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. Accordingly, one more opportunity is granted to the petitioner to cross-examine PW-1.
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 learned Trial Court.
8. The present petition is disposed of in the above-stated terms. Pending application(s), if any, also stands disposed of.

RAJNEESH KUMAR GUPTA, J

MAY 26, 2026/nd/ik