

CS (COMM) 577/25
SHILPA KHANNA Vs. VIPUL SACHDEVA

07.07.2026

Present : None for plaintiff.

Sh. Raghvendra Singh, Ld. Proxy Counsel for
defendant alongwith defendant in person.

An application has been filed today in Court u/o
XVI Rules 1 & 6 r/w Sec.151 CPC for summoning of judicial
record for the purposes of cross examination of PW1 with extra
copy for the plaintiff.

Another application has been filed on behalf of
defendant in the Court today for waiving of cost imposed vide
order dated 02.6.2026.

Be awaited for the plaintiff.

(Neelofer Abida Perveen)
District Judge (Commercial Court)-01
Central District/THC/Delhi/07.07.2026

At 11.17 am

Present : Sh. S.B. Pandey, Ld. Counsel for plaintiff.
Sh. Raghvendra Singh, Ld. Proxy Counsel for
defendant alongwith defendant in person.

It is submitted in the application for waiver of cost
that wife of defendant was hospitalized on the last date of hearing
and the defendant was the only person available for tending to her
and as for the purposes of cross-examination of PW1, the presence
of defendant to impart necessary instructions was required on the

last date, therefore adjournment was necessitated.

On the last date however, adjournment was sought on the ground that the defendant counsel himself has taken ill and therefore was not in a position to conclude the cross examination of PW1, The ground sent up in the application is different from the submission made to the Court for adjournment on 2.6.2026.

The defendant appears to be playing hide and seek with the Court and is deliberately it would seem so, is not coming forward to cross examine PW1 after 23.2.2026 on one pretext or the other. No ground is made out to waive off the cost imposed on the last date of hearing. **Application for waiver of cost is dismissed.**

Adjournment has been sought today on the ground that certain record is required to be summoned for the cross-examination of PW1 for which appropriate application has been filed today and also on the ground that the main counsel is not available today because his father is hospitalized.

Ld. Counsel for the defendant submitted that today cost of Rs.2000/- has been paid to the witness, and that the entire cost imposed under the previous orders shall be cleared by the next date of hearing.

The application u/o XVI Rules 1 & 6 r/w Sec.151 CPC for summoning of judicial record for the purposes of cross examination of PW1 is dismissed as the details of the cases record of which is sought to be summoned has not been mentioned in the application. In the interest of justice, last and final opportunity is granted to the defendant to conclude the cross-examination of PW-1 subject to cost of Rs.5000/- in addition to the costs imposed

under the previous orders to be paid to the witness. The defendant if desirous of summoning any judicial record for the purposes of cross-examination of PW1 shall take steps within one week from today.

For PE's, put up on **03.8.2026**.

(Neelofer Abida Perveen)
District Judge (Commercial Court)-01
Central District/THC/Delhi/07.07.2026