

27.03.2026

At 2:41pm

Present: Sh. Shivankar Swarup, Ld. Counsel for plaintiff.
Sh. Nitin, Ld. counsel for defendant along with
defendant in person.

During the course of arguments on the application under Order XVIII Rule 17 r/w Section 151 CPC, Ld. counsel for plaintiff, on instruction submits that plaintiff has no objection if the aforesaid application be allowed subject to heavy cost.

In view of the submissions, contentions made in the application, no objection given by Ld. counsel for plaintiff and considering that cross examination is a vital right and if defendant is not granted an opportunity to cross examine plaintiff's witnesses then in that case, defendants shall suffer an irreparable loss, therefore, in the interest of justice, present application is hereby **allowed subject to cost of Rs.15,000/- which shall be paid by defendant to plaintiff on or before NDOH.**

Subject to payment of cost, **orders dated 24.07.2025 and 28.10.2025 stands recalled.**

Application under Order XVIII Rule 17 r/w Section 151 CPC is accordingly disposed of.

It is made clear that if defendant fails to cross examine PW-1 and PW-2 on NDOH then his right to cross examination PW-1 and PW-2 shall be closed on NDOH.

Put up for cross examination of PW-1 and PW-2 on
01.06.2026.

Date is given as per the convenience of Ld. counsels.

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
27.03.2026