

CNR No.DLST01-003616-2021
CS DJ NO.214/21
MEERA JAIN Vs. RAHUL GUPTA

15.05.2026

Present:- Sh. Himanshu Lilani, Ld. Counsel for the Plaintiff.

Defendant via video conferencing.

Sh. Vikas Arora, Ld. Counsel for the Defendant.

Heard. Perused.

Defendant evidence was closed vide detailed order of date 19.12.2025 after completing cross examination of Defendant as DW1 and observing that no steps were taken for summoning any other defendant witness on that day and no other defendant witness was in attendance.

Earlier the plaintiff evidence was closed on 23.08.2024 and the case was adjourned for defendant evidence on 19.09.2024. When no Defendant witness was present nor Defendant evidence was led on 19.09.2024 then my Ld. Predecessor gave last and final opportunity for Defendant Evidence to be led on 23.10.2024.

Defendant through Counsel moved an application under Section 151 CPC for granting opportunities for examination of witnesses of Defendant left to be examined as per list of Defendant Witnesses and these witnesses comprise (1) witness of fact i.e. mother of Defendant, suffering from Cancer disease and (2) witnesses of record from (a) office of Sub-Registrars concerned and (b) Bank(s) concerned.

In the filed reply, as well as in arguments, initially

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the put forth plea for further opportunities for Defendant evidence was opposed by Counsel for the Plaintiff ; but in the course of hearing today, Counsel for the parties in attendance have consented, after taking instructions from the Defendant in attendance virtually ; for grant of two more opportunities for Defendant evidence for examining the aforesaid remaining Defendant witnesses, subject to payment of cost of Rs.20,000/- by Defendant to the Plaintiff in the fact of the matter.

Accordingly, Defendant is given aforesaid two opportunities to lead Defendant evidence for examining remaining witnesses of list of Defendant witnesses.

Appropriate steps be taken by the Defendant in one week time period for filing of the evidence affidavit of the mother of the Defendant and for filing application seeking summoning of the witnesses of record as per list of Defendant witnesses.

It is made clear that in case, appropriate steps are taken in time by the Defendant / Counsel for summoning the witnesses of record and witness(es) of record do not turn up for deposition, for any reasons beyond control of Defendant ; then Defendant evidence shall not be closed.

Counsel for the Defendant submits that Defendant will pay the cost tomorrow to Plaintiff / Counsel digitally or

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otherwise.

Aforesaid application under Section 151 CPC of the
Defendant is disposed in above terms.

Fixed 03.07.2026 for remaining Defendant evidence.

(Gurvinder Pal Singh)
Principal District & Sessions Judge (South)
Saket Courts, New Delhi (*ab*)