

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 15947/2016

Shri Kamal Vaswani S/o Shri Kishanchand, By Caste Sindhi, Shop No. 136, Gopal Jee Ka Rasta, Near Johari Bazar, Jaipur. Alternative Address Hardas Mension, Near Indian Coffee, M.i.road, Jaipur Raj.

----Petitioner

Versus

1. M/s Maharani Jewellers Through Proprietor Shri Prem Ahuja, Shop No. 303, Gali No. 1, Rajapark, Jaipur Raj.
2. Shri Prem Ahuja S/o Shri Banshilal Jee Ahuja, Proprietor M/s Maharani Jewellers, Shop No. 303, Gali No. 1, Rajapark, Jaipur Raj.
3. M/s Godhumal Kaurumal Through Partner Vijay Vaswani S/o Shri Kishanchand By Caste Sindhi, Shop No. 136, Gopal Jee Ka Rasta, Near Johari Bazar, Jaipur. Alternative Address Hardas Mension, Near Indian Coffee House, M.i.road, Jaipur Raj.
4. Shri Vijay Vaswani S/o Shri Kishanchand Jee, Partner M/s Godhumal Kaurumal, Shop No. 136, Gopal Jee Ka Rasta, Near Johari Bazar, Jaipur. Alternative Address Hardas Mension, Near Indian Coffee House, M.i.road, Jaipur Raj.

----Respondents

For Petitioner(s)	:	Mr. Kamal Kant Sharma
For Respondent(s)	:	Ms. Palak Saraswat for Mr. Sarvesh Sarswat

HON'BLE MR. JUSTICE BIPIN GUPTA

Judgment / Order

23/02/2026

1. The present writ petition has been filed assailing the order dated 21.10.2026, passed by learned Additional District and Sessions Judge No.12, Jaipur Metropolitan, in Civil Suit

No.68/2012, whereby the right of the defendant to cross-examine the plaintiff witness was closed.

2. Heard learned counsel for the parties and perused the material available on record.

3. Upon perusal of the record, this Court finds that although ample opportunity was granted to the petitioner to cross-examine the plaintiff's witness the right to cross-examination was closed and the matter was posted for further evidence of plaintiff.

4. Therefore, taking into consideration the totality of the facts, and the fact that the writ petition has been pending since 2016, in which a stay order has been in operation, which resulted into no progress in the suit after 21.10.2016, thus, this Court deems it appropriate to grant one more opportunity to the petitioner-defendant to cross-examine the plaintiff's witness, whose examination-in-chief has already been completed, subject to payment of cost of Rs.10,000/- to plaintiff-respondent.

5. The plaintiff will also be entitled to lead any further evidence as such right already stood granted to him vide order dated 21.10.2016.

6. If any other evidence is led by the plaintiff, the defendant will also be entitled to cross-examine the same witness.

7. With the above observation the present writ petition stand disposed of.

8. All pending application(s), if any, stand disposed of.

(BIPIN GUPTA),J