



2025:DHC:9211



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

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Date of Decision: 16.10.2025

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CM(M) 2014/2025, CM APPL. 65380/2025 & CM APPL. 65381/2025

COMPETENT AUTOMOBILES CO LTD

.....Petitioner

Through: Counsel for petitioner (*appearance not given*)

versus

M/S SUPREME MOTORS

.....Respondent

Through: Mr. Amit Gupta, Mr. Kshitij Vaibhav
and Ms. Muskan Nagpal, Advocates**CORAM: JUSTICE GIRISH KATHPALIA****ORDER (ORAL)**

1. Petitioner/defendant has assailed orders dated 01.04.2025 and 15.07.2025 of the learned trial court, whereby the previous cost was not waived and evidence of petitioner/defendant was closed, and application for recall of order dated 01.04.2025 also was dismissed with further costs. As on date, the petitioner/defendant is liable to clear the total cost of Rs. 35,000/-.
2. Learned counsel for respondent/plaintiff appearing on advance intimation accepts notice.
3. It is informed by both sides that the matter was listed for final arguments before trial court today but the same has got adjourned to



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05.02.2026.

4. Learned counsel for respondent/plaintiff on instructions of his client, in the interest of expeditious disposal of the suit offers that subject to further reasonable costs, the petition can be allowed, directing the learned trial court to record defendant's evidence on a date prior to 05.02.2026. Learned Senior Counsel for petitioner/defendant on instructions, supports the offer.

5. Considering the aforesaid, only in the interest of expeditious disposal of the suit, it is directed that on or before 20.11.2025, the petitioner/defendant shall pay the complete outstanding cost of Rs. 35,000/- plus further costs of Rs. 50,000/- to the respondent/plaintiff through counsel; that the learned trial court shall take up the matter on 20.11.2025 and shall either record the defendant's evidence on the same day if his board permits or shall fix a further date for recording defendant's evidence within this year; that the petitioner/defendant has to examine only one witness as per learned counsel, so only one opportunity to lead evidence shall be granted to the petitioner/defendant; and that on 05.02.2026, as already fixed, the final arguments in the suit shall be taken up.

6. Accordingly, the petition and the accompanying applications stand disposed of. Copy of this order be sent to the learned trial court forthwith.

**GIRISH KATHPALIA
(JUDGE)**

OCTOBER 16, 2025
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