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\* IN THE HIGH COURT OF DELHI AT NEW DELHI

% *Date of Decision: 06<sup>th</sup> May, 2025*

+ CM(M) 853/2025 & CM APPL. 27415/2025

RAM MEHER(D) THR LR .....Petitioner

Through: Mr. Archana Gaur, DHCLSC

versus

MUKESH & ANR. ....Respondent

Through: None

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ JAIN**

**J U D G M E N T (oral)**

**CM APPL. 27415/2025 (exemption)**

Exemption allowed, subject to all just exceptions.

**CM(M) 853/2025**

1. The point raised in the present petition is a very brief one.
2. Petitioner herein is plaintiff before the learned Trial Court and has filed a suit for cancellation of documents and injunction.
3. Case is at the stage of final arguments.
4. Plaintiff is not having any private counsel and is heavily dependent upon the legal aid counsel provided to him by the concerned Legal Services Authority.
5. Suit in question was, initially, filed by Mr. Ram Mehar, who has since expired and the present petition has been filed by his LR Mr. Harpal Singh, who happens to be his son.
6. When the aforesaid suit was taken up for consideration by the learned Civil Judge concerned, he noticed that there was no requisite assistance from



the side of plaintiff as the final arguments had not been advanced by them, despite the fact that case was fixed for final arguments way back in the year 2017.

7. Keeping in mind the conduct of the plaintiff and the fact that the case was more than 20 years old, learned Trial Court has closed the right of the plaintiff to address oral arguments.

8. Such order is dated 09.01.2025 and is under challenge.

9. Fact remains that judgment has not yet been pronounced.

10. When asked, it was informed that next date in the aforesaid suit is 15.05.2025 for further arguments from the side of defendants.

11. None appears on behalf of the defendants despite advance notice.

12. However, keeping in mind the overall facts and also the fact that plaintiff is presently dependent upon a legal aid counsel and the fact that suit is still at the stage of final arguments, the present petition is allowed with the direction to learned Trial Court to give one final opportunity to plaintiff to address oral arguments. At the same time, plaintiff would also be permitted to file written arguments. Let written arguments be placed before the learned Trial Court on the said fixed date with copy to opposite side.

13. Petition stands disposed of in the aforesaid terms.

**(MANOJ JAIN)**  
**JUDGE**

**MAY 6, 2025***/dr/shs*