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

% *Date of Decision: 08<sup>th</sup> May, 2025*

+ CM(M) 72/2025

M/S MONTEL

.....Petitioner

Through: Mr. Nishant Anand with Ms. Gunjan  
Bansal and Mr. Gaurav Chauhan,  
Advocates

versus

M/S THANDI RAM JAI NARAIN

.....Respondent

Through: Mr. Shubham Sharma, Advocate

**CORAM:**

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

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

**CM(M) 72/2025 & CM APPL. 27984/2025**

1. On the basis of request made to learned counsel for the petitioner, he contacted Mr. Shubham Sharma, learned counsel for respondent/defendant and pursuant to that, Mr. Shubham Sharma, learned counsel for respondent has joined the proceedings through videoconferencing.
2. Mr. Shubham Sharma, learned counsel for respondent, in all fairness, admits that in a similar another matter, on the basis of the concession given by him, indulgence has been granted to petitioner by this Court and he has been given one opportunity to cross-examine DW1.
3. He submits that such cross-examination has already taken place and such other suit and the suit in question are fixed for arguments today before the learned Trial Court. He, however, leaves it to the Court to pass appropriate order in the present petition.
4. This Court has seen order dated 06.03.2025 passed in CM (M) No.



8/2025.

5. The grievance in the present petition is also, merely, limited to grant of one opportunity to cross-examine DW1 Mr. Naresh Garg.

6. Keeping in mind the overall facts and the fact a similar opportunity was granted to the petitioner in the connected matter and after hearing Mr. Shubham Sharma, learned counsel for respondent, the present petition is disposed of with the direction that learned Trial Court shall permit the petitioner/plaintiff with one opportunity to cross-examine DW1 Mr. Naresh Garg.

7. Since matter is fixed today before the learned Trial Court, both the sides would appear before the learned Trial Court and would seek short date for the aforesaid purpose and learned Trial Court, after ascertaining the availability of the witness, convenience of learned counsel for both the parties and its own board-position, would give date for the aforesaid purpose and on such date, plaintiff would make it sure and certain that he cross-examines said witness. Simultaneously, for causing delay in the matter, petitioner/plaintiff is burdened with cost of Rs. 10,000/-, which shall be payable to defendant within seven day from today.

8. Petition stands disposed of in the aforesaid terms.

9. Next dates i.e. 14.05.2025 and 25.09.2025 stand cancelled.

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

**MAY 8, 2025/dr/shs**