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

% ***Date of Decision: 10<sup>th</sup> July, 2025***

+ CM(M) 644/2025 & CM APPL. 20429-20430/2025  
RAJMEET SINGH (SINCE DECEASED) THROUGH LR

.....Petitioner

Through: Mr. Vishesh Wadhawa with Ms.  
Swadha Gupta, Mr. Shivam Dahiya  
and Mr. Vishwa Mishra, Advocates

versus

HARLEEN KAUR & ANR.

.....Respondent

Through: Mr. Sanjay Kumar Rout, SC.

**CORAM:**

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

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

1. The suit in question was filed by Mr. Rajmeet Singh (since deceased) seeking cancellation of sale deed dated 07.03.2008.
2. Petitioner herein is his legal representative who has already been brought on record.
3. The suit is directed against Mrs. Harleen Kaur and Punjab National Bank.
4. Defendant No.1- Mrs. Harleen Kaur is being proceeded against *ex-parte*.
5. The prayer made in the present petition is very short and precise.
6. The suit in question was taken up by the learned Trial Court on 16.02.2024 when LR of the plaintiff was examined. Since no other witness was present, learned Trial Court, noticing that sufficient opportunities had already been granted to the plaintiff, closed the evidence of the plaintiff.
7. Learned counsel for the petitioner submits that the LR of the deceased



plaintiff is pursuing the present case after his death in the year 2020 and he has no intention to delay his own case and seeks permission to examine only three official witnesses i.e. two bank officials from HDFC Bank and Indian Bank and one police official from PS Prashant Vihar. It is submitted that, if permitted, he would take requisite steps, so that, all these witnesses are examined in one go.

8. The grievance in the present petition is with respect to order dated 16.02.2024 as well as subsequent order dated 22.02.2025 whereby his such request for calling such witnesses has been declined.

9. Learned counsel for respondent No. 2 seeks short adjournment to file appropriate reply.

10. Fact, however, remains that the point raised in the present petition is, actually speaking, very short and precise and the plaintiff merely wants to examine three witnesses to substantiate his case and in support of averments made in the plaint.

11. As apprised, the main contesting defendant is already *ex-parte*.

12. The next date before learned Trial Court is stated to be 28.07.2025.

13. Though, the petitioner should have been careful in the beginning and should have ensured attendance of his such proposed witnesses earlier and without any delay, keeping in mind the overall facts and circumstances of the case, the present petition is disposed of by permitting the petitioner to take requisite steps, well in advance, to summon all the abovesaid three official witnesses on the date fixed.

14. In order to procure their attendance before the learned Trial Court on 28.07.2025, the petitioner would move appropriate application within one week from today, so that, these official witnesses are directed to be



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summoned for the abovesaid date. It is, however, made clear that the petitioner would be entitled to only one effective opportunity in this regard.

15. Petition stands disposed of in aforesaid terms.
16. Pending applications also stand disposed of in aforesaid terms.

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

**JULY 10, 2025/sw/SS**