



2025:DHC:6897



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

% *Date of Decision: 13th August, 2025*

+ CM(M) 1511/2025 & CM APPL. 49714/2025

SH SANJAY GARG

.....Petitioner

Through: Mr. Parminder Singh Goindi, Adv.

versus

M/S PLAZA ELECTRICAL PRODUCTS PVT LTDRespondent

Through: Mr. Abhay Sahai, Ms. Pallavi Govil
and Ms. Aisha Dey, Adv.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

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

CM APPL. 49715/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CM(M) 1511/2025

3. The point raised in the present petition is a very short one.
4. Petitioner is defending a recovery suit and submitted his list of witnesses in which he also mentioned one '*handwriting expert*' as his one of the witnesses.
5. The case was fixed for defendant's evidence for the first time on 20.10.2022.
6. Various order-sheets subsequent to the abovesaid order would indicate that the mater remained pending for cross-examination of DW-1 only which was, eventually, concluded on 05.07.2025 and same day, the learned Trial Court also closed defendant's evidence, while observing that sufficient



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opportunities had already been granted to the defendant.

7. The sole request in the present petition is to the effect that there was no deliberate avoidance to produce the handwriting expert or any inaction on the part of defendant and except for one occasion, there was never any request for adjournment from the side of defendant.

8. Learned counsel for respondent/plaintiff has joined the proceedings through *video conferencing*. He submits that since he does not want to delay the suit, he would, without prejudice to his rights and contentions, have no objection if one opportunity in this regard is granted to the defendant to produce his handwriting expert.

9. The suit is now fixed for 23.09.2025 for final arguments.

10. Keeping in mind the facts presented before this Court and also taking into consideration the gracious concession given by learned counsel for plaintiff, the present petition is allowed and accordingly, learned Trial Court is requested to record evidence of such handwriting expert on the abovesaid date of 23.09.2025.

11. Copy of affidavit of said handwriting expert be supplied to learned counsel for plaintiff within two weeks from today so that learned counsel for plaintiff is in a position to prepare cross-examination.

12. It is, however, made clear that the defendant would be entitled to only one effective opportunity in this regard.

13. The petition alongwith pending application stands disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

AUGUST 13, 2025/ck/js