



2025:DHC:1807



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

% ***Date of Decision: 19th March, 2025***

+ **CM(M) 202/2025 & CM APPL. 5981/2025 & CM APPL. 15952/2025**

WHITEFIELDS OVERSEAS LIMITED

.....Petitioner

Through: Mr. Anoop Prakash, Advocate.

versus

BIJENDER CHAUHAN

.....Respondent

Through: Mr. Avinash Trivedi with Mr. Rahul Aggarwal, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Learned counsel for respondent submits that though, the present petition lacks any merit or substance but in order to ensure that there is no delay of any kind whatsoever in the suit filed by the respondent herein, he would have no objection if one and last opportunity is granted to petitioner, subject to imposition of exemplary cost.

2. He reiterates that twice earlier also, the evidence of defendant (petitioner herein) had been closed and, therefore, the conduct of the petitioner is such which does not, otherwise, call for any interference.

3. This Court has also been taken through various orders passed by the learned Trial Court when the evidence was being recorded.

4. Be that as it may, keeping in mind the gracious concession given by the



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learned counsel for respondent, the present petition is disposed of with direction that the learned Trial Court shall permit one last and final opportunity to petitioner herein to cross-examine DW-1 Mr. Sumeet Saluja, who was earlier partly cross examined.

5. However, keeping in mind the fact that indulgence had been given to the petitioner on numerous earlier occasions, he is burdened with cost of Rs. 50,000/-.

6. The case is reportedly fixed before the learned Trial Court on 24.03.2025. Let the Cost be cleared that day and the Court, after ascertaining the convenience of both the sides, would give a date for the purposes of the above said cross-examination. It is, however, clarified that petitioner would be entitled to only one effective opportunity.

7. The Court expects that the DW-1 Mr. Sumeet Saluja shall also make himself available before learned Trial Court on the date given by it and the learned counsel for petitioner herein would ensure that the cross-examination is concluded same day.

8. The petition, along with pending applications, if any, stands disposed of in aforesaid terms.

**(MANOJ JAIN)
JUDGE**

MARCH 19, 2025/sw/js