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

% ***Date of Decision: 30th May, 2025***

+ CM(M) 1070/2025 & CM APPL. 35931-35932/2025

SATVINDER KAUR

.....Petitioner

Through: Mr. Banamali Shukla with Mr. Rohit
Kumar Jha, Advocates.

versus

M/S WORLD FA EXPORTS PVT LTD

.....Respondent

Through: Mr. Sameer Dewan, Advocate
(through V.C.)

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner is defending a suit which is commercial in nature.
2. On 05.05.2025, PW-1 was present for cross-examination.
3. However, learned counsel for the defendant (petitioner herein) sought his withdrawal from the case and, while recording such submission of the learned counsel for the defendant, the learned Trial Court has, simultaneously, closed the right of the defendant to cross-examine PW-1. It also took note of the fact that the previous cost was also unpaid.
4. Learned counsel for the respondent/plaintiff appears on advance notice and leaves it to the discretion of this Court to pass appropriate orders.
5. Obviously, since Mr. Rohit Khurana, learned counsel for the defendant was seeking to withdraw his Vakalatnama, the Court should have, though, permitted his discharge from the case but since the defendant herself was not present in the Court, no further adverse orders should have been passed



against the defendant.

6. Be that as it may, since the next date of hearing before the learned Trial Court is stated to be 02.06.2025, after taking requisite inputs from learned counsel from both the parties, the present petition is disposed of with direction that, on said date, the present counsel for defendant would appear before the learned Trial Court for cross-examining PW-1. However, if for any reason, PW-1 is unable to appear before the learned Trial Court on 02.06.2025, the learned Trial Court would give another opportunity in this regard.

7. It is, however, clarified that on such another date, the defendant would make it sure and certain that such witness is cross-examined and the unpaid cost is also duly cleared.

8. Under no circumstance, any further opportunity would be given to the defendant for the abovesaid limited purpose.

9. The petition stands disposed of in the aforesaid terms.

10. Pending applications, if any, also stand disposed of.

11. Copy of the order be given *dasti* under the signatures of Court Master.

(MANOJ JAIN)
JUDGE

MAY 30, 2025
st/pb