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

Date of Decision: 30th March, 2026

+ CM(M) 663/2026

GORAYA STRAW BOARD MILLS PVT. LTD.Petitioner

Through: Mr. Vijay Joshi and Mr. Gurjas
Narula, Advocates.

versus

SHRI GANESH PAPER TRADING CO.Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA

ORDER (Oral)

Rajneesh Kumar Gupta, J.

1. This hearing has been conducted through hybrid mode.

CM APPL. 19862/2026 (for exemption)

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

CM(M) 663/2026 & CM APPL. 19861/2026 (for stay)

3. The present petition has been filed under Article 227 of the Constitution of India, assailing the impugned order dated 12th September, 2025 passed by the learned Trial Court in *C.S. (COMM.) No. 489/2021*, whereby the evidence of the petitioner/defendant has been closed.

4. Heard. Record perused.

5. Learned Counsel for the petitioner has argued that the learned Trial Court has passed the impugned order on the basis of surmises and



conjectures, which is against the facts on record. The evidence of the petitioner has been closed without giving sufficient opportunity to the petitioner to lead his evidence. It is further submitted by the learned counsel for the petitioner that, in absence of such an opportunity to lead evidence, grave injustice would be caused to the case of the petitioner.

6. The impugned order dated 12th September, 2025 reads as follows :

“Plaintiff is a proprietorship firm and does not have legal entity.

Learned counsel for plaintiff is directed to move an appropriate application and amend the title of the suit.

Matter is listed for DE.

No witness is present today.

Learned counsel for defendants submits that the vehicle in which the witness was travelling has broken down a separate vehicle has been sent from Delhi to produce him before the Court.

Record reflects that defendant has sought repeated adjournments to lead evidence and several opportunities have already been granted to the defendant for DE.

Since sufficient opportunities have been granted to the defendant, right of the defendant to leave evidence is hereby closed.

Renotify the matter for final arguments on 19.12.2025. Written notes of submissions be filed on or before the said date.”

7. A perusal of the record shows that the learned Trial Court has given sufficient opportunities to the petitioner in order to lead his evidence. However, the petitioner continued to seek adjournments, which has resulted in the delay of the trial. The learned Trial Court has rightly closed the evidence of the petitioner after giving him sufficient opportunities. The learned Trial Court has passed a well-reasoned order in accordance with law.

8. Accordingly, this Court does not find any infirmity in the impugned



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order and the same is upheld. The petition is dismissed as being devoid of any merits. Pending application(s), if any, also stand disposed of.

RAJNEESH KUMAR GUPTA, J

MARCH 30, 2026/nd/abk