



2026:DHC:2676



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

*Date of Decision: 30<sup>th</sup> March, 2026*

+ CM(M) 668/2026, CM APPL. 19878/2026 & CM APPL. 19879/2026

M/S TULLIO GIUSI SRL (NOW KNOWN AS GAPI SERVICES  
GRL) .....Petitioner

Through: Mr. T.P.S. Kang and Ms. Deepti  
Chaudhary, Advocates.

versus

GLOSSY BUTTONS PVT. LTD. ....Respondent

Through: Mr. Desh Raj, Advocate.

**CORAM:**

**HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA**

**ORDER (Oral)**

**Rajneesh Kumar Gupta, J.**

1. This hearing has been conducted through hybrid mode.
2. The present petition has been filed on behalf of the petitioner under Article 227 of the Constitution of Indian, 1950, assailing the order dated 09<sup>th</sup> March, 2026 passed by the learned Trial Court in CS (COMM) 1250/2022, whereby the application filed by the petitioner/plaintiff under Order XVIII Rule 3 read with Section 151 of the Code of Civil Procedure, 1908, seeking permission to lead the rebuttal evidence, has been dismissed.
3. Learned Counsel for the respondent appeared on advance notice and accepts notice.
4. With the consent of the learned Counsels for the parties, the matter is taken up for hearing. Record perused.
5. A perusal of the record shows that the application has been dismissed



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solely on the ground that the particulars of the witnesses, as well as their affidavits in evidence had not been filed.

6. Learned Counsel for the petitioner submits that the petitioner seeks to examine only Mr. Raj Kumar in rebuttal evidence and limited to documents Ex.DW1/9, Ex.DW1/10 and Ex.DW1/11.

7. Keeping in view the facts and circumstances of the case and in the interest of justice, this Court is of the opinion that one opportunity be granted to the petitioner to lead the rebuttal evidence.

8. Accordingly, the petitioner is granted opportunity to lead the evidence in rebuttal as per his aforesaid submissions and shall file the affidavit in evidence within a period of four days from today, with an advance copy thereof to the learned Counsel for the respondent. The Trial Court shall examine the witness on the date already fixed or any other date convenient to the trial court.

9. Accordingly, the petition is disposed of in the above-stated terms. Pending application(s), if any, also stands disposed of.

**RAJNEESH KUMAR GUPTA, J**

**MARCH 30, 2026/v/tp**