



2025:DHC:3291-DB



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

Date of decision: 05.05.2025

+ FAO(OS) 54/2025

ARJUN CHOWDHRY

.....Appellant

Through: Mr.Ashish Mohan, Sr. Adv.
with Mr.Hem Kumar,
Mr.Samarth Choudhary, Adv.

versus

CAPITAL LAND BUILDERS PVT LTD & ORS.

.....Respondents

Through: Mr.Ashish Negi, Mr.Satish
Sharma, Adv for R-1 with
Mr.Manoj Bansal, AR.
Mr.Jagdish Chandra, CGSC,
Mr.Tushar Arora,
Mr.Shubhankar Mishra, Adv.
for UOI.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MR. JUSTICE DHARMESH SHARMA

NAVIN CHAWLA, J. (ORAL)

CM APPL. 26899/2025 (Exemption)

1. Allowed, subject to all just exceptions.

FAO(OS) 54/2025

2. This appeal has been filed under Section 10 of the Delhi High Court Act, challenging the Order dated 25.03.2025 passed by the learned Single Judge of this Court in I.A. NO. 2243/2025 in CS (OS) 1906/2006, titled *Capital Land Builders Pvt. Ltd. & Ors. v. M/s*



were already on record of the Suit and had already been exhibited as Ex.PW1/10 and Ex.PW1/45, when PW2 had appeared as a witness in the Suit. The appellant had cross-examined PW2 on these documents, as would be evident from his deposition recorded by the learned Local Commissioner on 04.09.2024. He submits that the application in question was filed merely to delay the trial and also to fill up the lacuna that had been left behind by the appellant.

6. We have considered the submissions of the learned counsels for the parties.

7. It is not denied by the appellant that the Letter Ex.PW6/2 and the Letter dated 15.05.2007 had already been filed by the respondent no.1 in the suit and had been duly exhibited as Ex.PW1/10 and Ex.PW1/45. A perusal of the statement of PW2, recorded by the learned Local Commissioner on 04.09.2024, also shows that PW2 was duly cross-examined on these two documents.

8. The suit is of the vintage of the year 2006. Allowing such an application at this belated stage, merely to fill up the lacunas, if any, left by the appellant, would further delay the trial, which cannot be permitted.

9. Accordingly, we find no merit in the present appeal. The same is dismissed.

NAVIN CHAWLA, J

DHARMESH SHARMA, J

MAY 5, 2025/Arya/DG

[Click here to check corrigendum, if any](#)