



2026:DHC:863



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI***Date of Decision : 03<sup>rd</sup> February, 2026*

+ CM(M) 259/2026

MEENAKSHI GUPTA

.....Petitioner

Through: Mr. Rajesh Rai and Ms. Amisha Ray,  
Advocates.

versus

POOJA ARORA AND ANR.

.....Respondents

Through: Mr. Dhiraj Sachdeva, Advocates along  
with Respondents in person.**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. 7192/2026 (for exemption)**

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

**CM(M) 259/2026, CM APPL. Nos. 7193/2026 & 7194/2026**

3. The present petition has been filed by the petitioner under Article 227 of Constitution of India, assailing the orders dated 17<sup>th</sup> December, 2025 and 24<sup>th</sup> December, 2025 passed by the learned Trial Court in *Civ DJ No. 1032/2022*. Vide order dated 17<sup>th</sup> December, 2025, the application of the petitioner under Order XXVI Rule 9 read with Section 151 of the Code of Civil Procedure, 1908 has been dismissed and vide order dated 24<sup>th</sup> December, 2025, the evidence of the petitioner/plaintiff has been closed.

4. Learned counsel for the respondents appeared on advance notice and accepts notice.



5. The matter is taken up for hearing with the consent of the parties.
6. Learned counsel for the petitioner submitted that the issues were framed on 24<sup>th</sup> September, 2024. The petitioner could not lead her evidence as the petitioner was unwell and also on account of the fact of adverse weather conditions, the matter has been taken on hybrid mode as per the Circular No. 01/RG/DHC/2025 dated 15<sup>th</sup> December, 2025 from the Registrar General of this Court. It has been further argued that in case the petitioner was not granted an opportunity to lead the evidence, grave injustice would be caused to him.
7. On the other hand, learned counsel for the respondents has argued that sufficient opportunities have already been granted to the petitioner and present petition has been filed only to delay the proceedings, therefore, the petition is liable to be dismissed.
8. I have heard learned Counsel for the parties and perused the record.
9. Keeping in view the facts and circumstances of the case, this Court is of the opinion that it would be in the interest of justice that one more opportunity be granted to the petitioner to lead her evidence, as the respondents can be compensated by way of costs. Accordingly, one more opportunity is granted to the petitioner to lead his evidence, subject to payment of costs of Rs. 20,000/- to the respondents.
10. It shall be open to the learned Trial Court to record the evidence of the petitioner on the date already fixed in the case or on some other date, as convenient to the learned Trial Court.
11. The impugned order dated 17<sup>th</sup> December, 2025 is a reasoned order and this Court does not find any infirmity in it warranting any interference.
12. The present petition is disposed of in above terms, along with the



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pending application(s), if any.

**FEBRUARY 3, 2026***/nd/isk*

**RAJNEESH KUMAR GUPTA, J**