

ITEM NO.27

COURT NO.13

SECTION XIV

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) DIARY NO(S). 24372/2025

[Arising out of impugned final judgment and order dated 22-01-2025 in CM(M) No. 4138/2024 passed by the High Court of Delhi at New Delhi]

GEETANJALI KALRA & ORS.

PETITIONER(S)

VERSUS

RAKESH MOHAN GULATI & ANR.

RESPONDENT(S)

(IA No. 129319/2025 - CONDONATION OF DELAY IN FILING  
IA No. 129321/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT)

Date : 23-05-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PANKAJ MITHAL  
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. Shikhar Srivastava, AOR

For Respondent(s)

UPON hearing the counsel the court made the following  
O R D E R

1. The delay of 13 days in filing the present petition is condoned in the facts and circumstances of the case. Accordingly, I.A. No. 129319/2025 is allowed.
2. Heard learned counsel for the petitioner.
3. The application of the petitioners for setting aside the *ex parte* order dated 22.11.2021 has been allowed by the trial Court on 14.11.2024 but with a

cost of Rs.20,000/- upon the petitioner No.1 and Rs.5,000/- each upon the other petitioners. The said order has been affirmed by the High Court by the order impugned dated 22.01.2025.

4. In the facts and circumstances of the case, we are of the opinion that the Court ought to have imposed the uniform cost upon all the petitioners and not to have treated the petitioner No.1 differently. Therefore, the imposition of cost of Rs.20,000/- upon the petitioner No.1 is not justified.

5. Accordingly, we dispose of the petition by modifying the order of the trial Court as affirmed by the High Court by reducing the cost of Rs.20,000/- imposed upon the petitioner No.1 to Rs.5,000/- to bring it in uniformity to the cost imposed upon the other petitioners. The cost shall be deposited before the trial Court.

6. Pending application(s), if any, shall stand disposed of.

(Geeta Ahuja)  
Assistant Registrar-cum-PS

(Nidhi Wason)  
Court Master (NSH)