

02.06.2025

Present: Ld Counsel for plaintiff.
Proxy Counsel for defendant.(through VC)

Matter is at the stage of recording of examination in chief of DW-1.

On the LDOH, the defendant has filed an application u/o 8 Rule 1A (3) CPC for taking on record 3 documents i.e. extract of electoral roll of the year 1971, death certificate of Sh Babu Lal and the property tax receipt of Sh Roop Chand dt 31.07.2021.

In the said application it has been stated that all the 3 documents stands filed in CS DJ no 243/21 pending adjudication between the parties in respect of property no 3622-34 and it is accordingly submitted that the defendant was under the impression that the said documents stands filed in the present suit also.

The plaintiff has not disputed the filing of the aforesaid 3 documents in the suit being CS DJ no 243/21. The plaintiff submits that in the said suit the said documents stands denied by the plaintiff and also that the filing of the said documents was within the knowledge of the plaintiff. A reply has been filed on behalf of the plaintiff today.

In the interest of justice and keeping in view the fact that the said documents stands filed in CS DJ no 243/21 and since the plaintiff has not been taken by a surprise by the inadvertence on the part of the defendants, the present application stands allowed and the additional documents are taken on record however subject to a cost of Rs 2,000/-.

It is submitted by proxy counsel for the defendant that the main counsel is suffering from slip disc and is accordingly unable to attend the court.

In the interest of justice, list for remaining chief of DW-1 on **23.09.2025**.

(Sachin Sood)
DJ-01 (Central)
THC, Delhi/02.06.2025.