

27.09.2025

CS No.1098/24

Vasundhara Choudhary vs. M/s Harbour Press International

Present: Ld. Counsel for the plaintiff.  
Ld. Counsel for the defendant.

Ld. Counsel for the plaintiff has supplied a copy of the application filed under Order 12 Rule 6 CPC to the counsel for the defendant today in the court.

Let a reply to the same be filed before the NDOH with advance copy to the other side.

Ld. Counsel for the plaintiff submits that she would not be filing any replication to the written statement as filed by the defendant, accordingly, right to file the same stand closed.

It has been clarified by the plaintiff that the defendant has filed an application under Order 11 Rule 1(10 & 12) read with Order 7 Rule 14 CPC stating that the same has been filed on behalf of the plaintiff in the index, accordingly, there is an inadvertent error in the orders dated 31.05.2025.

It is clarified by the plaintiff that no such application seeking placing on record additional documents has been filed by the plaintiff.

**Order on the application under Order 11 Rule 1(10 & 12) read with Order 7 Rule 14 CPC**

This is an application filed on behalf of the defendant seeking leave of the court to place on record the additional documents.

As per the defendant, the said documents are necessary for the proper adjudication of the present suit.

As per the defendant, the said documents sought to be placed on record came to the notice of the defendant at the time of filing of WS.

The said application is vehemently opposed by the counsel for the plaintiff stating that firstly, the application has been filed under a wrong provision of Law and instead of the said provision, the relevant provision is 8 Rule 1A CPC.

It is further submitted that a bare perusal of the documents goes to show that the said documents are ante to the filing of the WS and the same were within the knowledge of the defendant at the time of the filing of the WS.

Perusal of the documents shows that the same throw a light upon the controversy involved in the present suit.

Given the fact that trial is yet to commence and the matter is at the completion of pleadings, merely for the reason that the application has been filed under a wrong provision of law, in the considered opinion of the court would not constitute the ground to reject the present application, the import of which production of additional documents which could not be filed at the time of filing of WS.

It is a cardinal principle of law that procedure is merely a handmade of justice and the court can always look into the relevant provision of law.

Accordingly, the present application filed under Order 11 Rule 1(10 & 12) read with Order 7 Rule 14 CPC is treated as an application under Order 8 Rule 1A CPC.

Keeping in view the fact that trial is yet to commence, the present application is allowed however subject to a cost of Rs. 2000/- to be deposited with DLSA, Central, THC.

The plaintiff is directed to file his affidavit of admission/denial of documents.

Let reply to the application under Order 12 Rule 6 CPC which has been supplied today to the counsel for the defendant be filed within four weeks from today with advance copy.

List the matter for admission/denial of documents, arguments on the application under Order 12 Rule 6 CPC and for framing of issues on **17.12.2025**.

Sachin Sood  
DJ-01, Central, THC  
27.09.2025