

CS 103/24
Ankur Tyagi
Vs.
Saroj Tyagi

20.07.2026

Present : Mr. Mordhwaj Tiwari, Ld. counsel for plaintiff.
Mr. Feroz Ahmad, Ld. counsel for defendant nos.1
and 2. (Joined through VC)
Mr. Nitin Kumar, Ld. proxy counsel for defendant
nos.1 and 2 present in Court.
Right of defendant nos.3 to 6 to file the WS already
closed vide order dated 10.11.2025.

Despite opportunity given, reply to the application
for placing on record certain additional documents not filed by
defendant nos.1 and 2. *Hence, their right to file reply to the said
application is hereby closed.*

Arguments heard on the aforesaid application.

It is argued that by way of instant application,
plaintiff wishes to place on record copy of judgment dated
26.09.1995 passed in Succession Petition No. 350/1995. It is
further argued that the said documents were not in possession of
the plaintiff at the time of filing of present suit and same has been
obtained by the plaintiff recently through some known source.

On the other hand, Ld. counsel for defendant nos.1
and 2 argued that the aforesaid document pertains to the year
1995, therefore it can be inferred that the said document was in
the possession or knowledge of the plaintiff at the time of filing

of the present suit. It is further argued that no plausible ground is given in the said application for not filing the said document along-with the plaint.

It is settled law that the evidentiary value of the document is not required to be seen at the time of deciding an application for placing on record additional documents. Further, since the proceedings of the present suit are at initial stage and issues are yet to be framed, no prejudice, which cannot be compensated in terms of money, shall be caused to the defendants, if the aforesaid judgment is taken on record.

Hence, the aforesaid application is disposed of as allowed and the copy of judgment dated 26.09.1995 passed in Succession Petition No. 350/1995 is taken on record subject to cost of Rs.1,000/- to be paid to the defendant nos.1 and 2 on the next date of hearing.

Defendant nos.1 and 2 are at liberty to file additional affidavit of admission-denial of documents in respect of aforesaid document within four weeks from today with advance copy to Ld. counsel for plaintiff.

Put up on **08.10.2026** for completion of pleadings/ framing of issues/ proposed issues, if any.

(Hem Singh)
District Judge-01
(East)/KKD/Delhi/20.07.2026