

13 CS 600/21 BALAJI MEDICAL AND DIAGNOSTIC RE-
SEARCH CENTRE Vs. SHIV PRASAD RASTOGI AND ORS
25.02.2025

Present : Sh. Sachidanand Rai, Proxy for Ms. Sujata Rao, Ld.
Counsel for the plaintiff.
None for the defendants on call at 10.37am.

Be awaited.

(Sanatan Prasad)
District Judge-02 (East)
Karkardooma Courts/Delhi/25.02.2025

12.02pm

Present : Sh. Sachidanand Rai, Proxy for Ms. Sujata Rao, Ld.
Counsel for the plaintiff.
Sh. Brajesh Panchal, Ld. Counsel for the defendant
Sh. Sunil Rastogi.

Spare copy of the replication, also application moved under Order 7 rule 14 3 CPC is given to Sh. Panchal who does not want to file any formal reply and wants to argue the matter straightaway and his further submissions is that the application cannot be allowed as no reason has been specified as to why the plaintiff did not file these documents at the time of filing of the suit. Further, even the documents are not genuine and has no relevance in the matter. He also has objection of costs. On the other hand, it is submitted that the foundation of the documents, now, sought to be placed on record, cannot be examined at this stage and even the issues have not been framed in the matter.

I have carefully considered the submissions made and keeping in view the fact the issues have not been framed, in the matter, the application stands allowed in the interest of justice and subject to costs of Rs.500/- which is paid.

No admission/denial is being done. Following issues have been framed :-

1. Whether the plaintiff is entitled for the decree of Rs.3,21,704/- (Rs. Three Lakhs Twenty One Thousand Seven Hundred Four Only), against the defendant Sh. Sunil Rastogi, as claimed in the suit, and if so, also interest thereupon, if any, at what rate and for what period? OPP.
2. Whether the suit is barred by limitation ? OPD.
3. Relief.

No other issue arises or pressed for, hence, explained. Put up for PE on **05.08.2025**. Advance copies of affidavits of PWs be supplied to the Ld. Counsel for the defendant at least 15 days prior to the NDOH against receipt. PWs shall be present on NDOH.

Parties may submit list of witnesses, as per rules.

(Sanatan Prasad)
District Judge-02 (East)
Karkardooma Courts/Delhi/25.02.2025