

**C.S. No. 637/24 VISHWANATH OJHA Vs. M/S RUPPEK
CAPITAL PRIVATE LTD AND RUPEEK FINTECH PVT LTD
AND ORS**

07.01.2026

Present: Sh. Kanhi Lal and Sh. Ashish Kumar, Ld. Counsels for
plaintiff.
Ld. Counsel for defendant.(attendance not given)

Reply to the application of defendant under Order 8 Rule
1A(3) CPC filed. Copy supplied.

Argument heard on aforesaid application. Case perused.

Defendant filed the aforesaid application to take on
record the power of attorney executed by plaintiff in favour of
Rupeek Fintech Pvt. Ltd. dated on 13.01.2021 and bank statement
dated 13.01.2021 of Axis Bank showing loan transaction by it with
certification u/s 65 B of Indian Evidence Act.

Plaintiff opposed the application stating that additional
documents are neither necessary nor essential for just and proper
disposal of the case. Further, plaintiff stated that defendant claims of
locating the document from internal digital record is vague and is
fabricated excuse to conceal their negligence. Accordingly, plaintiff
prayed for dismissal of the application.

Plaintiff filed this suit for permanent injunction and recovery of gold
weigh around 507.04 gram or in alternate value of gold. Plaintiff
pleaded that on 13.01.2021, he had taken loan of Rs.2,44,644/- from
defendant Ruppek Capital Pvt. Ltd. by mortgaging gold weigh
around 507.04 gram.

The defendant wants to place on record the document pertaining to the loan as well as statement of amount dated 13.01.2021. Defendant has failed to show as to how prejudice would be caused to him if the aforesaid documents would be taken on record. Further, plaintiff has every right to cross examine the witness regarding the documents which defendant wants to place on record.

In view of above, the aforesaid application of the defendant is allowed and the aforesaid document taken on record. Ld. Counsel for defendant seeks adjournment to cross examine the witness. Adjournment strongly opposed stating that defendant intentionally delay the disposal of the case.

Heard. Case perused.

It is noted that examination in chief of PW-1 was recorded on 14.07.2025 and on that day the cross examination was deferred on the request of Ld. Counsel for defendant. Hence, keeping in view of the facts and circumstances of the case, matter is adjourned subject to cost of Rs.2000/-.

Put up for cross examination of PW-1 on 19.02.2026.

(Ravinder Singh - I)
District Judge-03/East District,
KKD Courts, Delhi/07.01.2026