

CS No. 06/2022

Suresh Chand Vs. Ramesh Chand Verma & Ors.

11.08.2025

Present: Sh. Rajeev Kumar Chaudhary, Ld. Counsel for Petitioner alongwith Petitioner Sh. Suresh Chand in person.
Sh. Sanjay Seyd, Ld. Counsel for the Defendant Nos.1 & 3 alongwith Sh. Sachin Kumar son of Defendant Nos. 1 & 3.

There is an application under Order XI dtd. 08.08.2025 moved by the plaintiff, asking for production of original documents of the property bearing No. RZ-920 (old No.49) area ad-measuring 100 yards, Gali No.5/13, Main Sagar Pur, New Delhi-110046.

Ld. Counsel for plaintiff submits that the originals are with Defendant No.1. The application seeking production of these documents was moved by him with plaint.

The application has not been disposed off and that is why he is not in a position to lead the evidence and requested that this application be disposed off.

Defendant No.01 be directed to produce the original documents.

Ld. Counsel for the defendant submitted that prior to filing of this suit, plaintiff herein earlier filed the similar suit for partition and rendition of accounts.

The Defendant herein filed the written statement in that suit, wherein he specifically mentioned that the suit property bearing No. RZ-920 (old No.49) area ad-measuring 100 yards, Gali No.5/13, Main Sagar Pur, New Delhi-110046 was purchased exclusively in the name of defendant No.1 herein and was never purchased in the joint name. He has also mentioned that he has transferred that property in the name of Sh. Subash Gupta.

After coming to know about this fact, the plaintiff withdrew the suit and filed the present suit, wherein he had arrayed Sh. Suresh Chand Gupta already arrayed as defendant no.2.

The defendant no.1 has already placed on record the photocopies of those

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documents which are with respect to property No. RZ-920 (old No.49) area ad-measuring 100 yards, Gali No.5/13, Main Sagar Pur, New Delhi-110046, showing that the defendant no.1 is the only one who purchased the property. He thereafter, transferred it in the name of Subahsh Gupta and from Subhash Gupta, defendant No.3 has purchased the property vide Sale deed dtd. 23.05.2017.

It is submitted that under the circumstances, once the defendant has already cleared his stand, the application has no merit.

It is prayed that the application be accordingly disposed off.

Ld. Counsel for the plaintiff submitted that the defendant has submitted those documents with Delhi Jal Board as well as BSES and he be permitted to summon those documents. That application is already on file. The request to summon the records from Delhi Jal Board and BSES is allowed.

However, the application has no merits in view of the specific stand taken by the defendant, the same is disposed off warranting no directions by the Court.

Now to come up for PE on 22.08.2025 and this is the last opportunity. Application for summoning the witness is allowed.

Dasti summons be given to the plaintiff.

Diet money be paid in the Court.

(Virender Kumar Bansal)
Principal District & Sessions Judge
New Delhi District
Patiala House Courts/ND/11.08.2025