

15 CS (COMM.) 43/24

Deutsche Bank Ag Vs. Mr. Mahesh Chand Yadav,

07.08.2026

Present: Sh. Jishnu Bhardwaj, Ld. counsel for plaintiff.

None for defendant.

Matter is fixed for plaintiff's evidence for today.

I.A. No. 1/2026 (Application under Order XVI Rule 2 CPC)

An application has been filed by the plaintiff under Order XVI Rule 2 CPC seeking permission to examine the substituted AR of the plaintiff as PW-2 in the present case. It has been submitted that the previous AR was partly examined and thereafter, he left the services of the bank. After substitution of the new AR, the plaintiff bank intends to examine this witness as PW-2.

Heard and perused the record.

Counsel for the plaintiff has relied upon the judgment of Hon'ble Delhi High Court in **Federal Bank Ltd. v. B.M. Bajaj and Ors., 2026:DHC:970-DB**, in support of his arguments. In para 43 of the judgment it was held that “*in case of in the case of corporate entities and banks, different officials may represent the institution at different stages of the proceedings, and such change in representation does not, by itself, invalidate the proceedings so long as the person deposing is duly authorized. In the present case, there was no challenge to the authority of the deponent, and the Commercial Court did not record any finding that the power of attorney placed on record was invalid or insufficient*”.

In view of the judgment of the Hon'ble Delhi High Court and in the larger interest of justice, the application is allowed and stands disposed off accordingly.

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Counsel for plaintiff has also filed proof of deposit of previous cost. Same is taken on record.

Put up for plaintiff's evidence by last and final opportunity on **07.09.2026**.

(Anil Kumar Sisodia)

District Judge (Commercial Court)-01
Patiala House Court, New Delhi.
07.08.2026