

IN THE COURT OF MS. MEENU KAUSHIK
DISTRICT JUDGE – 03, NEW DELHI DISTRICT
PATIALA HOUSE COURT

CS No. 58565/16

Meenakshi Dubey

....Plaintiff

Versus

Pankaj Aggarwal

....Defendant

29.04.2026

ORDER

1. By way of this order I shall dispose of this application moved u/O VIII Rule 1A r/w Section 151 of CPC by defendant No.1.

2. Arguments on the application have already been heard.

3. The present application is moved by defendant No.1 to place on record Conveyance Deed dated 05.07.2004. It is submitted by ld. counsel for defendant that defendant seeks to place the aforesaid document on record and no prejudice shall be suffered by the plaintiff by this in any manner. It is further stated that on 27.05.2024, similar application was dismissed for the reasons "*it would relegate the case back to the evidence stage, and with no justification is given for not filing the documents with written statement*".

4. It was further argued that the defendant has moved the present application as the said Conveyance Deed is duly

registered document and is undisputed on part of the plaintiff. It is stated that the plaintiff was witnessed in the said Conveyance Deed and the same is very foundation of the Gift Deed dated 23.12.2004 Ex.DW-1/4. It is further argued that Conveyance Deed is mentioned in the Gift Deed and the said Gift Deed is admitted document on part of the plaintiff. It is further argued that Conveyance Deed is crucial and irresistible document as even if the same is not on record, the Conveyance Deed is still required to be gone into as it is still the foundation of the rights of both the parties in the suit property.

5. It is further stated that the plaintiff is deliberately avoiding to place on record the Conveyance Deed, as plaintiff founded her case on the Family Settlement dated 21.07.1998 fully knowing that it was neither family settlement nor intended to be so. It was stated that Conveyance Deed was available with both the parties since 2004 itself and its non-production is lapse on part of both the parties. It is argued that plaintiff has no right to oppose the placing of Conveyance Deed on record, as the same is not disputed document by her, and the Conveyance Deed confirms the basis of the Gift Deed dated 23.12.2004 which was executed in favour of the plaintiff. It is further claimed that previous order dated 27.05.2004 is not bar in moving the present application and seeking the relief for placing on record the Conveyance Deed.

6. It is submitted by ld. counsel for plaintiff that by moving the present application, defendant has deliberately tried to delay the court proceedings and to harass the plaintiff as similar application has already been disposed of as not allowed. It is

further stated that no justification is given by the defendant for moving the application again or for not filing the Conveyance Deed at appropriate stage of the case.

7. Submissions made on behalf of both the parties are taken into consideration. Record perused.

8. The Conveyance Deed found mentioned in the Gift Deed Ex.DW-1/5 and the execution of Conveyance Deed is not denied on part of the plaintiff. However, similar application of defendant for placing on record the Conveyance Deed has already been disposed of by the Id. Predecessor of this Court vide order dt. 27.05.2024. No fresh ground for placing on record the conveyance deed or to recall the said order is mentioned by the defendant. Hence, no ground for allowing the defendant to place on record any additional document at this stage is made out. Further, no prejudice shall be suffered by the defendant by not allowing the present application as the Conveyance Deed is mentioned in the Gift Deed Ex.DW-1/5 and the execution of the same is not disputed by the plaintiff during trial.

9. In view of above, present application stands disposed of as not allowed.

***(Announced in the open Court
on 29th, April 2026)***

**(Ms. Meenu Kaushik)
DJ-03, New Delhi District
Patiala House Courts
New Delhi**