

**IN THE COURT OF Ms. MEENU KAUSHIK**  
**DJ – 03: NEW DELHI DISTRICT**  
**PATIALA HOUSE COURTS : NEW DELHI**

CS No. 1222/17

VINOD KAPOOR

Vs.

BVG INDIA LTD

03.09.2025

**ORDER**

1. By way of this order, I shall dispose of the application moved under Order VII Rule 14 CPC by the plaintiff.
2. Arguments on the application moved by plaintiff under Order VII Rule 14 CPC are already heard.
3. It is submitted on behalf of plaintiff that present application is moved to place certain documents on record which were filed by the plaintiff along with his replication. It is further submitted that no objections were raised by the defendant regarding the documents marked as Annexure A to H at the time of filing the same along with replication and the objections for the first time were raised at the stage of plaintiff's evidence.
4. It is further argued that present suit is the simpliciter recovery suit and the claim of plaintiff is denied by the defendant in its written statement submitting that claim of plaintiff is based on frivolous grounds.
5. It is further argued that in para (d) of the preliminary objections of the written statement, it is pleaded that the onus is upon the plaintiff to submit the claims with the certificates from

the concerned ONGC Engineers on providing satisfactory services as per the condition of contract. In para (g) the preliminary objections are raised by the defendant regarding maintenance of extra quantity of cooling appliances and in para (h) of the preliminary objections it is mentioned that plaintiff has threatened the defendant and leveled allegations to extort money.

6. It is further argued that to negate the objections raised by the defendant in its written statement, plaintiff is required to give detailed rebuttal and that is why the various documents were submitted by the plaintiff along with the replication.

7. It is further argued that since the defendant has not raised any objection to the documents at the time of filing of the replication, this in itself shows that the defendant was ignorant of its right at the earlier stage and raised present objections at the stage of plaintiff's evidence with the sole ulterior motive to delay the proceedings.

8. It is further argued that no prejudice shall be caused to the defendant in case present application is allowed and documents mentioned as Annexure A to H are taken on record. It is further submitted that grave prejudice and irreparable loss shall be suffered by the plaintiff in case the application is not allowed.

9. Per contra, it is argued by Ld. Counsel for the defendant that present application for placing additional documents on record is not maintainable as the same is moved at the belated stage. It is further argued that by way of this application, petitioner has tried to distort the true facts and has suppressed the material facts. It is further argued that by way of present

application the plaintiff wishes to place on record the documents which should have been filed by him at the time of presenting the plaint and since plaintiff has failed to give any satisfactory reason for not filing the document at the appropriate stage, the same cannot be allowed at this stage under Order VII Rule 14 (3) CPC.

10. Ld. Counsel for the defendant has placed reliance upon the following judgments:

a. ***Bagai Construction v. Gupta Building Material Store*** (2013) 14 SCC 1, the Hon'ble Supreme Court held:

*“A party cannot be permitted to introduce original documents at a later stage when copies of the same were already filed with the suit. Permitting such practice would encourage manipulation and delay the proceedings.”*

b. ***Marai Margarida Sequeira Fernandes v. Erasmo Jack de Sequeira*** (2012) 5 SCC 370, the Hon'ble Supreme Court emphasized that:

*“Litigation must be conducted with transparency. If a party has relied upon a document and filed a copy at the initial stage, introducing the original at a belated stage raises doubts on the authenticity and credibility of the evidence.”*

c. ***Sudhir Engineering Company v. Nitco Roadways Ltd.*** AIR 1995, the Hon'ble Delhi High Court held that:

*“Documents which are not filed along with the plaint as required under Order VII Rule 14 CPC, cannot be introduced later to fill gaps in evidence. The party must justify with cogent reasons why such documents were not filed earlier.”*

d. ***K.K. Velusamy v. N. Palanisamy*** (2011) 11 SCC 275, the Hon'ble Supreme Court held that:

*“A party cannot be permitted to alter or improve its case midway through the proceedings by filing additional documents.”*

11. It is further argued that in case the present application is allowed at this belated stage, the same shall cause grave prejudice to the defendant and shall unnecessarily prolong the trial.

12. Submissions made on behalf of the parties are taken into consideration. Record perused. The contentions of Ld. Counsel for the plaintiff that the present documents were filed by the plaintiff at the time of filing of replication itself and that too to rebut the grounds taken by the defendant in its written statement and thus, the same cannot be said to have filed at any belated stage is found tenable. Further, for deciding the case in just and proper manner, the court is of considered opinion that the opportunity should be granted to the plaintiff to place on record the above mentioned and that no prejudice shall be suffered to the defendant by allowing the plaintiff to place on record the above mentioned documents. In view of above, present application moved by the plaintiff under Order VII Rule 14 CPC is disposed of as allowed.

*(Announced in the open Court  
on 03.09.2025)*

(Meenu Kaushik)  
District Judge-03  
Patiala House Courts, New Delhi District  
New Delhi