

13.02.2026

Present: Sh. Jitendra Kumar, Ld. counsel for plaintiff with plaintiff.
Sh. Pratap Paliwal, Ld. counsel for D-1 to D-4 and D-8
through VC with D-1 in person.
Other defendants are ex-parte.

1. In compliance of para 3 of order dated 23.01.2026, D-4 has placed on record copy of certain documents with list. The application in this regard is disposed off.
2. D-4 has moved another application u/s 39 of BSA r/w sec. 151 CPC. A similar application with similar prayer was made on last date i.e. 23.01.2026. Despite the dismissal of the said application (for reasons recorded in para 5 to 8 of the order dated 23.01.2026) D-4 has preferred the same application again.
3. It was submitted on behalf of D-4 that the documents filed today were not on record earlier and therefore, the dismissal of application on 23.01.2026 shall not preclude D-4 from filing another application with same prayer today.
4. Copy supplied.
5. The reasons recorded in para 5 to 8 of order dated 23.01.2026 shall apply to the present application also and therefore, the present application is nothing but an abuse of process and thus, liable to be dismissed.
6. I may note that the mere filing of documents in compliance of para 3 of order dated 23.01.2026 shall not mean that the reasons given in

subsequent paras i.e. para 5 to 8 of order dated 23.01.2026 have effaced. The said reasons have essentially denied the defendant the opportunity to have FSL examination of the documents purportedly executed by one Munna Khan. Now, if D-4 is aggrieved by the said order, her remedy shall lie in challenging the said order and not by preferring a second application for the same prayer.

7. Accordingly, the present application is dismissed.
8. Ahlmad is directed to tag the application with documents filed therewith as per rules.
9. Final arguments heard.
10. List for orders on 09.03.2026.

AASHISH GUPTA
DJ-01/NE/KKD/DELHI
13.02.2026