

16 CS DJ 1080/19

SUBHASH CHANDER Vs. BRIJ MOHAN MISHRA

22.07.2025

Present: Mr. S. N. Gupta, Ld. Counsel for the plaintiff.
Mr. Mussabir Ansari, Ld. Counsel for the
defendants no. 1 and 2.
Mr. R. K. Pandey, Ld. Counsel for defendant no. 3.

1. Today, an application under Order XVIII Rule 17 (A) CPC has been filed by defendant no. 2 for taking on record the additional document. The document which is sought to be placed on record is Sale Deed dated 27.08.2019.

2. Record reveals that this is one of the Sale Deeds for cancellation of which the present suit has been filed by the plaintiff. The copy of the said Sale Deed is already filed by the plaintiff and defendant no. 4.

3. In view of the fact that the cancellation of Sale Deed is sought, execution of the said Sale Deed is admitted by the parties. In view of the same, the application stands allowed. Defendant no. 2 is allowed to rely upon the said document.

4. Defendant no.2 has been examined as DW-1. His cross-examination is deferred. Ld. Counsel for the plaintiff has submitted that defendants no. 1, 2 and 3 are contesting parties. The affidavits of defendants no. 1 and 3 be filed before the cross-examination of defendant no. 2 concerned.

5. In view of the same, let affidavits of evidence of defendants no. 1 and 3 be filed atleast 15 days prior to the next date of hearing with advance copy to the opposite party.

6. List on **24.09.2025**.

(Rahul Bhatia)
DJ-1 (South-East), Saket Court
New Delhi/22.07.2025