

21.04.2025

At 12:28pm

Present: Sh. Rajneesh Kapoor, Ld. Counsel for plaintiff
along with plaintiff in person.
Sh. K.P. Sharma, Mohd. Faizan & Sh. Vishal
Bhardwaj, Ld. counsels for D-1 and D-2 along with
D-1 and D-2 are in person.

Reply to the application under Section 151 CPC
filed on behalf of defendants. Copy supplied.

Arguments heard on the application under Order VII
Rule 14 CPC.

It is submitted by Ld. counsel for plaintiff that by way of aforesaid application, plaintiff seeks permission of this Court to allow her to file (1) copy of GPA dated 19.12.1986, (2) Copy of agreement for sale dated 19.12.1986, (3) Copy of receipt dated 19.12.1986, (4) Copy of agreement to sell dated 17.01.2012, (5) GPA dated 17.01.2012, (6) Copy of Will deed dated 17.01.2012, (7) Copy of receipt dated 17.01.2012 and (8) Possession letter dated 17.01.2012. He further submits that plaintiff has also challenged the documents pertaining to year 2012 i.e. copy of agreement to sell, GPA, copy of Will, copy of receipt, possession letter all dated 17.01.2012, in the present suit. It is further submitted that inadvertently, plaintiff could not file the aforesaid documents along with the plaint. It is further submitted that the aforesaid documents have already been filed

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by the defendants along with their WS. He further submits that though the aforesaid documents are part of the judicial record, however, in order to avoid any controversy in future, plaintiff is again filing the aforesaid documents seeking permission to take the same on record. He further submits that the originals of GPA, agreement for sell and receipt all dated 19.12.1986 are in possession of IO of FIR bearing No.118/2020 registered at PS Harsh Vihar as the same has been handed over by plaintiff.

It is submitted by Ld. counsel for defendants that aforesaid documents were well within the knowledge as well as in the possession of plaintiff at the time of filing of the present suit, however, plaintiff with the malafide intentions has not filed the same. He further submits that defendants have already filed the aforesaid documents along with their WS and therefore, in order to avoid duplicacy there is no necessity to take the aforesaid documents afresh on record.

In view of the submissions, contentions made in the application and considering the fact that the copies of aforesaid documents are already on record as the same has been filed by defendants and the aforesaid documents (GPA, agreement for sell and receipt) all dated 19.12.1986 are already exhibited as Ex.P1 to Ex.P3 (during the admission and denial of documents), therefore, there is no requirement/necessity to take the same on record again, hence, the application under Order VII Rule 14 CPC stands **dismissed and disposed off accordingly.**

Ld. counsel for defendants on instructions submits that defendants have no objection, if the IO of FIR bearing

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no.118/2020, registered at PS Harsh Vihar be directed to produce original documents i.e. original GPA, original agreement to sell and original receipt all dated 19.12.1986 on NDOH/at the time of examination of plaintiff's witnesses.

Heard.

In view of the submissions, contentions made in the application and no objection given by Ld. counsel for defendants, application under Section 151 CPC is hereby allowed and concerned IO of FIR bearing no.118/2020, registered at PS Harsh Vihar is directed to produce original documents i.e. original GPA, original agreement to sell and original receipt all dated 19.12.1986 on NDOH.

Upon filing of PF, Assistant Ahlmad is directed to issue summons to the concerned IO of FIR bearing no. 118/2020, registered at PS Harsh Vihar, as per order.

PF be filed within 07 days from today.

Application under Section 151 CPC is accordingly disposed off.

Put up for PE on 02.07.2025.

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
21.04.2025