

CS no. 2775/2016

Suman Lata @ Lata Devi V/s Jai Bhagwan Malik

23/07/2018

Pr.:- Sh.S. K. Verma, counsel for plaintiff.
Sh. Kali Charan, counsel for defendant.

Matter was fixed for PE. At this stage, Ld. Counsel for plaintiff seeks to place on record original sale deed dated 05/01/1970 registered on 06/01/1970 and to examine PW-Sh. Rajender Singh, record attendent from the office of Delhi Archives, 18A, Satsang Vihar Marg. Same is objected to by Ld. Counsel for defendant.

It is well settled that the rules regarding production of original documents before settlement of issues are incorporated only to safeguard against production of false and fabricated documents at a later stage and the intent behind the said rules is not to penalize parties for late production of documents.

In the present case, the document which is to be produced on record is a registered sale deed and relevant record of registration of same has been summoned from the concerned department.

At this stage, no findings can be given that the said document is false and fabricated and same is at best matter of trial. Copy of the sale deed has been supplied to Ld. Counsel for defendant in court. The contention of the defendant is that the Khasra number where the property in question is situated was acquired by DDA. Defence evidence is yet to be led. Needless

to say, the defendant can bring material on record in support of his contention. As such, no prejudice would be caused to the defendant.

In the interest of justice, document i.e. sale deed dated 05/01/1970 registered on 06/01/1970 is allowed to be taken on record in exercise of jurisdiction under Order VI Rule 14 CPC. D-1 can be compensated by way of costs, which are assessed as Rs.2,500/-.

PW Sh. Rajender Singh is examined as PW-2, cross examined and discharged. Diet money paid to the witness.

Put up for RPE/payment of cost on 28/09/2018.

(SHARAD GUPTA)

Addl. District Judge-01(Shahdara),
Karkardooma, Delhi. 23/07/2018.