

12 CS DJ ADJ 943/24
DINESH DAGAR Vs. ASHISH

08.12.2025

Present: Sh. Vinod Sehrawat, Ld. Counsel for plaintiffs.
Sh. Dixit Singh, Ld. Counsel for defendants.

1. WS, reply to application under Order XXXIX Rule 1 and 2 CPC filed on behalf of defendants along with documents. Copy served.
2. Two applications i.e. under Order XI Rule 2 CPC and application under Section 151 CPC for recalling of order dated 11.03.2025 are pending for disposal.
3. Submissions heard. Record perused.
4. Ld. Counsel for plaintiff submitted that vide order dated 11.03.2025 this Court directed plaintiff to supply legible copy of page no. 32 to 35, 42, 51 to 76, however, originals of same are lying with defendant only and plaintiff has already supplied the better/best copy available to him. Hence, he is requesting for recalling for said directions and further directions to defendant to supply legible copy under Order XI Rule 11 and 12 CPC.
5. *Per contra*, Ld. Counsel for defendant vehemently objected the submissions made on behalf of plaintiff. It is submitted that defendants are not having original of any of these

documents. During the Course of arguments, Ld. counsel for defendant also objected the prayer clause of both applications as in application under Section 151 CPC plaintiff made prayer for interrogatories while in application under Order XI R 11 and 12 CPC plaintiff is seeking recalling as well as interrogatories.

6. Since, both parties are stated to be not in custody of original documents, above application stands disposed of. However, it is clarified that admissibility and relevancy of all above document shall be determine at appropriate stage.

7. At this stage, Ld. Counsel for plaintiff submits that he has no instruction to file replication.

8. In view thereof, pleadings stand complete.

9. Both parties are directed to admission-denial of documents in terms of order dated 11.03.2025.

10. Put up for arguments on interim application under Order XXXIX Rule 1 and 2 CPC, admission-denial of documents and framing of issues on **25.02.2026**.

(SHILPI M JAIN)
DJ-05 (SW)/Dwarka Courts
New Delhi: 08.12.2025 (sk)