

Civ DJ 1127/14
SHER SINGH Vs. INDER SINGH

14.01.2025

Present: None for plaintiff no. 1.
Sh. S.K. Sagar, Ld counsel for plaintiff no. 2.
Ms. Mansi, Ld counsel for defendant no.2 and LRs of
defendant no. 3 (VC).

ORDER

1. Vide this order, this Court shall decide the application u/o 26 Rule 10A r/w Section 151 CPC moved on behalf of plaintiff no. 1.
2. Arguments have already been heard. Record perused.
3. In said application, it is submitted that defendant no. 2 and LRs of defendant no. 3 filed and application u/s 151 r/w u/o 8 Rule 1A (3) CPC to place on record certain documents and same was allowed by this Court and said documents were taken on record. It is submitted that said documents have no concern with the partnership firm established vide partnership deed dated 24.02.1982 and many of such documents are forged and fabricated on its face. Said documents are: (a) copy of ledger account, (b) copy of various cash vouchers reflecting expenses. By way of present application, prayer has been made to send the above documents to CFSL, Rohini to determine the age of the ink used on said documents and also obtain an opinion of the expert on the age of the paper.
4. Ld counsel for defendants have strongly objected the prayer of plaintiff no.1.

Contd/-

5. Perusal of record shows that defendant no. 2 and LRs of defendant no. 3 moved an application u/o 8 Rule 1A (3) r/w Section 151 CPC and same was allowed vide order dated 24.08.2024. By way of said order, the abovesaid documents i.e. (a) copy of ledger account, (b) copy of various cash vouchers reflecting expenses, alongwith other documents were taken on record.

6. Perusal of record also shows that plaintiff no. 1 filed the reply of said application, however, in said reply, he did not take the plea that said documents have been prepared later in point of time. Perusal of record also shows that said documents were exhibited at the time of examination of DW-1 and during cross-examination of DW-1, plaintiff no.1 never put the question that said documents were prepared later in point of time. In these circumstances, it seems that plea taken in present application is afterthought and accordingly, present application is devoid of merits and hence same is dismissed.

Matter be put up for final arguments on 22.01.2025.

(Dharmender Singh)
District Judge-01(West)
Tis Hazari Courts, Delhi/14.01.2025