

Civ DJ 12188/16

JASPAL KUAR SETHI Vs. SURINDER SINGH

13.05.2024

Present: Plaintiff Ms. Randeep Anand connected through VC.
Ld. counsels Sh. Rishi Kapoor and Sh. Sumit Kapoor for
plaintiffs are also connected through VC.
Ms. Manjeet Kaur, Ld. proxy counsel for defendant.

Two applications are pending disposal. First application is u/s 151 CPC moved on behalf of plaintiffs. Second application has been moved on behalf of defendant for recalling and setting aside the order dated 10.11.2021.

Arguments have already been heard. Record perused.

Application u/s 151 CPC has been moved on behalf of plaintiffs with prayer to take on record the additional documents. It is submitted on behalf of plaintiffs that documents as mentioned in para no. 3 of the application were filed on 01.06.2017 alongwith the replication. It is submitted that said documents are relevant documents and case is still at the stage of PE and no prejudice shall be caused to defendant if said documents are taken on record. This Court is of the considered view that perusal of record shows that so far cross-examination of PW-1 has not been started, so in view of this Court, no prejudice shall be caused to defendant if said documents are taken on record as defendant will have sufficient opportunity to assail said documents during cross-examination of PW-1. This Court is of the further view that as per Order 7 Rule 14 CPC, additional document can be filed on record by plaintiff at a later stage with the leave of the Court, so in the interest of justice, said documents are taken on record and accordingly

application is disposed off.

Qua the application of defendant for recalling and setting aside the order dated 10.11.2021, certain clarifications are required. So, matter be put up for further submissions on said application on next date of hearing.

Put up on **03.06.2024**.

**Announced in the open Court
on this 13th day of May, 2024.**

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