

**ORDERS ON APPLICATIONS FILED BY THE PLAINTIFF
UNDER SECTION 151 OF C.P.C. , UNDER ORDER 18
RULE 17 R/W SEC.151 OF C.P.C AND UNDER ORDER 7
RULE 14(3) OF CPC.**

The Plaintiff has filed applications under Section 151 of C.P.C., under Order 18 Rule 17 R/W Sec.151 of C.P.C. and under Order 7 Rule 14(3) of C.P.C. seeking to re-call the PW.1 contending that by oversight some of the documents were not got marked at the time of chief-examination of PW.1 the said documents are already on record. Hence, it is necessary to allow the applications and permit the Plaintiff to get those documents marked.

2. To these applications the counsel for Defendant has filed objection stating that, already matter is posted for cross-examination, leading of further evidence is not permitted. As per order 11 Rule 1(5) R/W provisions of Commercial Courts Act production of additional documents is strictly for reasonable grounds. Here in the present applications there is no any valid grounds stated by the Plaintiff. Hence, applications are liable to be rejected.

3. Heard and perused the entire record.

4. The points that arises for my consideration are as here under :

1. Whether the Plaintiff has made out valid grounds for permitting him to produce additional documents and for re-call PW.1 ?
2. What order ?
5. My finding on the above point is as hereunder ;

Point No.1 : In the Negative
Point No.2 : As per final order for the following;

:: REASONS ::

6. POINT No.1 : During arguments learned counsel for Plaintiff has argued stating that, as by oversight documents like Ledger Account and Statement of Account are not filed earlier. Hence, Plaintiff wants to produce the same, as applications are filed before cross-examination no hardship will be caused to the other side. Hence, application in question needs to be allowed.

7. On the other hand, Defendant's counsel has argued stating that, as the present suit is commercial suit as per Commercial Courts Act filing a document at later stage is strictly on disclosure of valid grounds. But herein the present suit the

Plaintiff has not at all stated any valid grounds for not producing those documents earlier. Hence, Plaintiff is not entitled to produce those documents.

8. In support of his arguments the Defendant's counsel has relied upon the judgment of Hon'ble High Court of Delhi in 2022 SCC Online Delhi 3089 and 2024 SCC Online Delhi 4587.

9. On perusal of the submissions of both the counsels and judgments relied upon by the counsel for Defendant it appears that as rightly argued by Defendant's counsel as held by Hon'ble High Court of Delhi as per provisions of Commercial Courts Act in a commercial suit application for additional document is not maintainable unless there is valid grounds stated in the application. Herein the present case Plaintiff has stated that by oversight he has not produced those documents earlier which shows that, the reasons stated in the applications of the Plaintiff are not at all valid grounds for allowing the applications filed by the Plaintiff. Hence, applications filed by the Plaintiff are liable to be rejected. **Hence, Point No.1 is answered in the Negative.**

10. POINT No.2:- In the result, I proceed to pass the following;

ORDER

The applications filed by the Plaintiff under Section 151 of C.P.C., under Order 18 Rule 17 R/W Sec.151 of C.P.C. and under Order 7 Rule 14(3) of C.P.C. are rejected.

For cross of PW.1.

Call on : 15.09.2025.

II Addl. District & Sessions
Judge, Mysuru.