

10 CS (COMM) 52/25

**M/S BROTHERS AND COMPANY Vs. M/s MFB GEOTECH
PVT. LTD.**

11.09.2025

Present: Sh. Vasu Goel, Ld. counsel for the plaintiff, who is appearing online through CISCO Webex on behalf of the plaintiff.

Ms. Preeti, Ld. proxy counsel for the defendant.

List of witnesses together with the evidence by way of affidavit of PW-1 Sh. Abhishek Chaudhary stands already filed on record by the plaintiff. Copy thereof has already been received by the Ld. counsel for the defendant.

Evidence by way of affidavit of DW-1 Sh. Ashok Munjal has also filed on record as on date. Same has been stated to be filed online as well. Copy of the evidence by way of affidavit of DW-1 has been received by Sh. Gaurav Tomar, Ld. proxy counsel for the plaintiff, who is present in the Court as on date physically.

Ld. counsel for the plaintiff has also filed on record the hard copy of the application under Order XI Rule 1(5) CPC for placing on record certain e-mails, a certificate under Section 63 BSA and declaration under Order XI Rule 6(3) CPC. The said application is accompanied by the list of documents and documents itself as well, which are sought to be placed on record by way of said application by the plaintiff. Copies thereof have been supplied to the Ld. counsel for the defendant.

At this stage, Sh. Amit Chauhan, Ld. counsel for the defendant has appeared and states that the said application may be allowed.

Keeping in view the submissions of the Ld. counsel for the defendant, subject to costs of Rs. 2000/- to be paid by the plaintiff, the application under Order XI Rule 1(5) CPC is allowed and the documents annexed with the application are hereby taken on record.

Additional evidence by way of affidavit of PW-1 Sh.Abhishek Chaudhary has also been placed on record.

Ld. counsel for the plaintiff states that he would appear physically in the Court on the next date and he would tender the affidavit and additional affidavit of PW-1 on the next date.

In these circumstances, at the request of the Ld. counsel for the plaintiff, now to come up for payment of costs of Rs. 2000/- by the plaintiff to the Ld. counsel for the defendant and for PE on **08.10.2025**.

RAJ KUMAR
District Judge (Commercial Court)-01,
(SW)-Dwarka Courts, Delhi
11.09.2025