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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(OS) 186/1980, I.A. 1228/1992, I.A. 5025/1996, I.A. 2061/1997
I.A. 13225/2000, I.A. 7217/2002, I.A. 12670/2018, I.A. 15647/2019

TARUN KUMAR

.....Plaintiff

Through: Mr. Rajeev Saxena, Sr. Advocate
with Ms. Megha Saxena and Ms.
Shreya Bhatnagar, Advocates.
Email: saxsonslawco@gmail.com)

versus

AJAY KUMAR

.....Defendant

Through: Ms. Neha Tandon, Adv. for D-2.
Mr. Sushil Dutt Salwan, Sr. Adv. with
Mr. L.K. Singh, Adv. for LR's of D-3.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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18.02.2025

**I.A. 585/2025(UNDER ORDER VIII RULE -1 (A) READ WITH
SECTION 151 CPC SEEKING PERMISSION TO FILE
ADDITIONAL DOCUMENTS)**

1. Heard learned senior counsel appearing for the parties on the instant application.
2. With respect to the documents sought to be placed on record, it is submitted that document no. A(i) is a photocopy of the deed of partnership dated 26.03.1957. Mr. Salwan, learned senior counsel submits that the typed copy of the said partnership deed was already forming part of the record.
3. *Per Contra*, Mr. Saxena, learned senior counsel submits that even along with the instant application, the original copy of the aforesaid partnership deed has not been filed by the defendant. He, however, contends



that, in any case, unless the original copy of the said partnership deed is placed on record before the concerned Joint Registrar to exhibit the said documents, there is no reason to allow the photocopy to be taken on record.

4. In view of the submissions made by learned counsel appearing for the parties, the Court directs that on the production of the original deed of partnership dated 26.03.1957, the concerned Joint Registrar (Judicial) shall allow to exhibit the same while retaining photocopy thereof on record.

5. With respect to prayer A *qua* document (ii), which appears to be a “Form C” dated 07.05.1957, the Court, at this stage, is unable to accede to the request made in the instant application.

6. It also appears that the prayer A *qua* document (iii) to (v), pertains to a property bearing no. 13, Amrita Shergil Marg, New Delhi, and the same is not the subject matter of the suit.

7. Mr. Saxena, learned senior counsel on instruction reiterates the aforesaid submissions and contends that there is no reason as to why the defendant is trying to place on record the document which does not pertain to any of the properties which is forming part of the suit property.

8. In view of the aforesaid, the prayer A *qua* documents (iii) to (v) renders infructuous.

9. Accordingly, the instant application stands disposed of.

CS(OS) 186/1980

10. List before the Registrar on 27.02.2025.

PURUSHAINDR KUMAR KAURAV, J

FEBRUARY 18, 2025/PU/MJO

Click here to check corrigendum, if any