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

+ **CS(COMM) 99/2023**

MRITUNJAY NARAYAN JHA

.....Plaintiff

Through: Mr. Avinash K. Trivedi, Mr. Anurag
Kaushik, Advs.

versus

M/S IRCON INTERNATIONAL LIMITED

.....Defendant

Through: Mr. Ankit Jain, Mr. Aditya Chauhan,
Ms. Apurva Tyagi, Ms. Divyanshu
Rathi, Advs.

CORAM:

DR. JAGMINDER SINGH (DHJS) JOINT REGISTRAR (JUDICIAL)

ORDER

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08.07.2024

I.A. No. 17682/2023

This is an application moved on behalf of the plaintiff for taking on record the additional document i.e. Email dated 22.04.2022.

Learned counsel for defendant filed detailed reply and opposed the application stating that there is no any relevant reason has been mentioned in the application as to why the same was not placed on record with the plaint or even with the replication. Learned counsel further submitted that the applicant had not placed on record all other correspondence pertaining to the Email in question which he had mentioned in his reply. Without placing on record the complete correspondence, the Email of the plaintiff cannot be taken on record. Therefore, this application may be dismissed.

I have considered the submissions of both parties. I have also gone through the application as well as the reply filed by the learned opposite



counsel.

As submitted by learned counsel for plaintiff, the present application has been filed on 31.08.2023 i.e. the date of filing of the replication. Therefore, it cannot be said that the document was not filed with the replication. Moreover, in the replication, the present document has also been mentioned. Existence of this Email sent by the plaintiff to the defendant is not denied. Hence, keeping in view the facts and circumstances as well as the nature of the present document, the application is allowed subject to a cost of Rs. 2,000/- to be given to the opposite party.

The concerned document i.e. the Email dated 22.04.2022 be taken on record.

The captioned IA is accordingly **disposed of**.

CS(COMM) 99/2023

Replication has already been filed.

Let Joint Document Schedule in terms of **Rule 7 A of Chapter VII of The Delhi High Court (Original Side) Rules, 2018** be filed physically by plaintiff after getting it signed from defendant.

Documents, if e-filed be filed physically by parties so as to mark the Exhibits

Put up for completion of process of admission / denial of documents and marking of Exhibits on 03.10.2024.

DR. JAGMINDER SINGH (DHJS)
JOINT REGISTRAR (JUDICIAL)

JULY 8, 2024/sms

Click here to check corrigendum, if any