



2026:DHC:6927



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% ***Date of Decision: 13.08.2026***# **CNR No. DLHC010246842024**+ **CS(OS) 351/2024****SAMAR VIKRAM SINGH****.....Plaintiff**Through: Ms. Meenakshi Ogra, Mr. Tarun
Khurana, Mr. Samrat S. Kang, Mr.
Vishnu Gambhir and Mr. Abhinav
Gupta, Advs.

versus

AMERICAN EXPRESS BANKING CORP & ANR.....Defendants

Through: Mr. Suhail Sehgal, Adv. (through v/c)

CORAM:**HON'BLE MR. JUSTICE SACHIN DATTA****SACHIN DATTA, J. (ORAL)****IA No.9982/2024 (filed by the plaintiff, u/O XI R 1(4) CPC seeking leave to file additional documents)****IA No.42332/2024 (filed by the plaintiff, u/O VII R14(8) CPC seeking to place on record additional documents)**

1. The present applications have been filed by the plaintiff seeking leave to file certain additional documents.
2. By way of the I.A. No. 9982/2024, the plaintiff has sought leave to produce, at a subsequent stage, such additional documents as may be relevant to the proceedings but which are presently not in his possession.
3. The said application is premised upon the plaintiff's inability to produce such documents and seeks permission to place the same on record subsequently.
4. Subsequently, I.A. No. 42332/2024 has been filed by the plaintiff



seeking leave to place on record two additional documents, namely, (i) the appointment letter dated 26.07.1994 issued by the defendant Bank appointing the plaintiff as a Management Trainee; and (ii) the appointment letter dated 16.08.1995 issued by the defendant Bank appointing the plaintiff as a Travel Consultant.

5. The plaintiff states that the aforesaid two documents could not be filed along with the plaint as, despite efforts, the same could not be traced at the relevant time. It is stated that the documents have subsequently been located and are now sought to be brought on record. The plaintiff further submits that the facts relating to his appointment as a Management Trainee and thereafter as a Travel Consultant have already been pleaded in the plaint and, therefore, the documents do not introduce any new factual foundation to the suit.

6. It is further submitted that since the present suit is at a preliminary stage of admission and issuance of summons, no prejudice would be caused to the defendants by permitting the said documents to be taken on record.

7. In ***Agva Healthcare (P) Ltd. v. Agfa-Gevaert NV***, 2023 SCC OnLine Del 7914, the Division Bench of this Court observed as under:

15. It may be seen from the order of the learned District Judge that the contentions/arguments of the defendants were duly considered and dealt by the Court before granting permission to the plaintiffs to place the documents on record. Hon'ble Supreme Court in the case of Sugandhi (Dead) by Legal Representatives v. P. Rajkumar [(2020) 10 SCC 706] held as under:—

“8. Sub-rule (3), as quoted above, provides a second opportunity to the defendant to produce the documents which ought to have been produced in the court along with the written statement, with the leave of the court. The discretion conferred upon the court to grant such leave is to be exercised judiciously. While there is no straightjacket formula, this leave can be granted by the court on a good cause being shown by the defendant.



9. It is often said that procedure is the handmaid of justice. Procedural and technical hurdles shall not be allowed to come in the way of the court while doing substantial justice. If the procedural violation does not seriously cause prejudice to the adversary party, courts must lean towards doing substantial justice rather than relying upon procedural and technical violation. We should not forget the fact that litigation is nothing but a journey towards truth which is the foundation of justice and the court is required to take appropriate steps to thrash out the underlying truth in every dispute. Therefore, the court should take a lenient view when an application is made for production of the documents under sub-rule (3)."

16. At the stage of granting leave to place on record additional documents, the Court is not required to consider the genuineness of the documents/additional documents, the stage at which the genuineness of the documents is to be considered is during the trial.

17. We may also note that the present application had been filed when the suit is still at an initial stage and the issues are yet to be framed. The plea of the appellants that along with the plaint, the plaintiffs had filed appropriate declaration that all documents in power, possession, control or custody of the plaintiffs has been disclosed etc. is misplaced. By placing on record the documents, the respondents are neither setting up a new case nor withdrawing any admission. By virtue of the additional documents, plaintiffs are not setting up a case contrary to what has been pleaded in the plaint.

18. Having regard to the statutory provisions and observations of the Supreme Court in *Sugandhi (supra)*, to the case in hand, we find that without prejudice to the rights and contentions of the parties, the additional documents can be taken on record. We find no illegality or perversity in the order passed by the learned District Judge in permitting the plaintiffs to file additional documents.

8. Considering the aforesaid circumstances, the plaintiff is allowed to file the documents as sought.

9. The applications stand disposed of in the above terms.

IA Nos.10768/2025 (u/O VII R 10) and 11583/2025 (u/O VII R 11)

10. List for hearing on 07.12.2026.

AUGUST 13, 2026/cl

SACHIN DATTA, J