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

+ CS(COMM) 117/2018, I.A. 17235/2023 & I.A. 10454/2024

DARSHAN SINGH

..... Plaintiff

Through: Mr. Abhishek Malhotra, Mr. Himanshu Deora, Ms. Sonal Chhablani and Mr. Yashwardhan Singh, Advocates.

versus

BALDEV SINGH

..... Defendant

Through: Mr. Aman Nandrajog, Advocate and Mr. Ujjwal Malhotra, Advocate.

**CORAM:**

**HON'BLE MR. JUSTICE ANISH DAYAL**

**ORDER**

**08.05.2024**

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**I.A. 10454/2024(Application under Section 151 of CPC)**

1. This application has been filed seeking permission to the plaintiff's expert to carry out an effective assessment on the authenticity of the document (marked as 'ZH') which had been directed to be produced by order of this Court dated 08<sup>th</sup> April, 2024 by DW-2.

2. It is averred by plaintiff that when the said document was produced, they had suspicion that it was not an authentic document and had been created especially for the litigation purpose.

3. While a preliminary inspection was carried out through forensic analyst before the Joint Registrar, they seek a more comprehensive assessment.

4. In these facts and circumstances, the application is allowed, the



plaintiff's expert to carry out an assessment of the authenticity of the document before the Joint Registrar itself.

5. The plaintiff will be at liberty to take further steps in the light of their assessment finally. The report of the analyst may be placed on record; the defendant of course will be entitled to cross-examine the analyst, if they so wish to, and place the objections on record subsequently. Defendant shall also be at liberty to lead rebuttal evidence in respect of this particular issue.

6. Needless to state that this will be ultimately be subject to the rights and contentions of the parties.

7. The application is disposed of accordingly.

**CS(COMM) 117/2018, I.A. 17235/2023**

1. List on 21<sup>st</sup> May, 2024, before the Joint Registrar.
2. Order be uploaded on the website of this Court.

**ANISH DAYAL, J**

**MAY 8, 2024/RK**