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

+ **CS(COMM) 117/2018**

**DARSHAN SINGH**

.....Plaintiff

Through: **Mr. Arjun Gadhoke & Mr.  
Kuber Mahajan, Adv.**

versus

**BALDEV SINGH**

.....Defendant

Through: **Mr. Aman N. & Mr. Girish  
Shankar, Adv.**

**CORAM:**

**JOINT REGISTRAR (JUDICIAL), SUDHIR KUMAR  
SIROHI (DHJS)**

**ORDER**

% **28.01.2026**

Costs has been paid as per order dated 13.01.2026 to ld. counsel for the plaintiff.

List the matter for the purpose fixed on the date already fixed i.e. **27.02.2026**.

**IA No. 2363/2026 (By defendant u/o XVI Rule 1 r/w Section 151 CPC & r/w Chapter XI Rule 3 of Delhi High Court (Original Side) Rules seeking amendment of list of witnesses of the defendant)**

Ld. counsel for the plaintiff submits that he does not wish to file the reply and will argue the application directly.

Ld. counsel for the defendant submits that vide present IA two witnesses are to be added in list of witnesses of defendant namely **Mr. Ajeet Singh Gulati (publisher of Footwear Today Magazine)**



though inadvertently failed to mention the said fact about publisher in the IA and the second witness namely, Mr. Y. Surya Prasad is an expert regarding the age of document. It is further argued that vide order of the Hon'ble Court dated 08.05.2024, the opportunity was granted to the defendant to lead evidence in rebuttal w.r.t the age of the document & the said IA was moved by the plaintiff regarding the same issue, therefore these two witnesses are essential for the defence of the defendant regarding age of the document. He further submits that the report of Mr. T. Surya Prasad will be on record before the next date of hearing, if the witness is allowed to inspect the document in first weeks of February, 2026 & both the witnesses will be available on the next date of hearing, their evidences will be on record before the next date of hearing, if application is allowed and there will be no delay in trial.

Ld. counsel for the plaintiff on the another hand, opposed the application on the ground that it is a delay tactics on behalf of the defendant and defendant just want to delay the matter, he did not move an such application earlier despite having opportunity after the order of the Hon'ble Court dated 08.05.2024, therefore the application may not be allowed. Submissions of both the parties heard.

The next date in the matter is of 27.02.2026 for defence evidence and as per order of the Hon'ble Court, the dated 08.05.2024, defendant was granted opportunity to lead evidence in rebuttal while disposing of IA No. 10454/2024 but no doubt that this application has been filed lately by the defendant, therefore after balancing the rights of both the parties, undersigned deems fit that the application be allowed in order to lead evidence by the defendant w.r.t the age of document, subject to the condition that the evidence of both these witnesses must be on record before the next date of



hearing.

It has been prayed on behalf of defendant that his witness Dr. Y. Surya Prasad may be allowed to examine the document in question so that he can file his report alongwith affidavit. Dr. Y. Surya Prasad is at liberty to examine the questioned document in presence of ld. counsel for both the parties on **04.02.2026 & 05.02.2026**.

It is again emphasized that the evidence of both these witnesses must be on record before the next date of hearing and also be supplied one week in advance to other party of next date of hearing. It is apprised that if any of the witnesses is not available on next date of hearing, then the evidence of that witness will not be lead thereafter in this matter.

**Registry is requested to inspect all the physical file to the witness Dr. Y. Surya Prasad in present of ld. counsels for both the parties on 04.02.2026 & 05.02.2026 before the court master in the court of undersigned.**

**SUDHIR KUMAR SIROHI (DHJS)  
JOINT REGISTRAR (JUDICIAL)**

**JANUARY 28, 2026/jr**

*Click here to check corrigendum, if any*