



\$~O-19

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

+ **CS(OS) 431/2020, I.A. 12217/2020 & I.A. 4330/2021**

SH. PARVEEN PAL BAJAJ,

.....Plaintiff

Through: **Mr. Sumit Thakur and Mr. Ashok,
Advs.**

versus

SHRI SUNIL BAJAJ & ORS.

.....Defendants

Through: **Mr. B.S. Dhir, Ms. Suchi Sood, Mr.
Harshit Chopra and Ms. Akansha
Magon, Advs. For D-1, 4, 6 and 7.
Mr. Deepak Thukral, Mr. Nikhil
Goyal and Ms. Vikas Gupta, Advs.
for D-2, 3 & 5.**

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

%

28.04.2025

**I.A. 32320/2024 (filed on behalf of the plaintiff seeking permission to file
certified copy of the documents filed with the plaint)**

1. Heard learned counsel appearing for the parties on the instant application.
2. Learned counsel on behalf of the plaintiff, at the outset, submits that the defendant Nos.2, 3 & 5 have no objection regarding the documents being taken on record. This aspect has also been captured in order dated 05.07.2024.
3. Mr. B.S. Dhir, learned counsel appearing for defendant Nos.1, 4, 6

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 01/05/2025 at 16:11:46



and 7, however, strongly, opposed the instant application.

4. Learned counsel appearing for the plaintiff submits that the documents which are sought to be placed on record are certified copies obtained during the pendency of the *lis* between them. He further submits that photocopies of the same documents had already been placed on record along with the plaint. However, in the interregnum, a fire incident occurred in the office of the plaintiff's former counsel and as a result, the documents were misplaced, prompting efforts to obtain certified copies of the same documents through the MCD.

5. Since the MCD did not respond, the plaintiff took steps to obtain the documents from the concerned Court. On receipt of those documents, on 28.05.2024, the instant application has been filed.

6. *Per contra*, Mr. Dhir, takes this Court through various orders passed by the Court from time to time. He refers to orders dated 18.11.2021, 11.02.2022, 02.08.2022 and various subsequent orders, to demonstrate that the plaintiff had ample opportunity to place the certified copies on record. According to him, since no timely steps were taken, the alleged fire incident is of no consequence to the plaintiff. He contends that the plaintiff is attempting to unnecessarily delay the proceedings under one pretext or another.

7. I have considered the submissions made by learned counsel appearing for the parties and have perused the record.

8. It is seen that the plaintiff had sufficient time after 18.11.2021, before the occurrence of alleged fire incident, to file the certified copies of the documents. However, the fact remains that the photocopies of the said documents were filed earlier by the plaintiff and from some of the

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 01/05/2025 at 16:11:46



proceedings before the Court, it is discernible that the defendants did not deny the correctness of those photocopies. The rights of the defendants on merits, hence are not sufficiently prejudiced. The Certified copies need to be placed on record in order to reinforce the position taken in the plaint itself.

9. The Court, therefore, finds that the interest of justice would be better served by allowing the certified copies to be taken on record, subject to payment of costs to defendant Nos.1, 4, 6 & 7.

10. Accordingly, the Court directs the plaintiff to pay a cost of Rs.25,000/- to defendant Nos.1, 4, 6 & 7 within 15 days.

11. Subject to payment of the aforesaid cost, let the documents be taken on record.

12. Application stands disposed of.

CS(OS) 431/2020, I.A. 12217/2020 & I.A. 4330/2021

13. List this matter before the concerned Joint Registrar for further proceedings on 19.05.2025.

APRIL 28, 2025/P/SPH

PURUSHAINDR KUMAR KAURAV, J

Click here to check corrigendum, if any