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

+ **CS(OS) 396/2008**

VIDUR SAHDEV & ORS

.....Plaintiffs

Through: Mr. Sanjiv Bahl, Mr. Eklavya Bahl,
Mr. Apoorva Bahl and Mr. Pawas
Aggrwal, Advs.

versus

ASHOK SAHDEV

.....Defendant

Through: Mr. Manu Sharma, Sr. Adv. with Mr.
Rakesh Kumar, Mr. Arjun Kakkar
and Mr. Sunil, Advs.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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29.04.2026

I.A. 5536/2026 (by defendant under Sections 39 and 72 of Bharatiya Sakshya Adhiniyam, 2023 read with Section 151 CPC)

1. By way of the present application, the defendant/applicant seeks direction to the Central Forensic Science Laboratory (CFSL), Ramanthapur, Colony Road, Hyderabad (AP) to render an expert opinion with regard to the genuineness and authenticity of the documents as mentioned in the order dated 07.08.2013 passed by this Court.

2. Mr. Manu Sharma, learned Senior Counsel appearing on behalf of the defendant/applicant submits that *vide* order dated 07.08.2013, the Court had passed a direction to the CFSL to furnish a report with regard to the genuineness and authenticity of certain documents.

3. Attention of the Court has been invited to para 15 of the said order



wherein the following directions were made:

“15. The CFSL, as aforesaid, shall report with regard to the genuineness and authenticity of the documents, as well as with regard to the signatures placed thereon, which are attributed to the signatories by comparison of the same with the admitted signatures on the documents mentioned above. The CFSL shall also report with regard to the age of the paper on which the Wills have been superscribed, as well as the age of the ink used by the signatories. The IO shall be entitled to address the queries of which the prosecution needs specific answers, to the CFSL, which shall answer the same appropriately upon examination of the relevant documents. The IO shall file the queries in this Court within two weeks, with advance copy to learned counsel for the parties. A comprehensive report of the CFSL be sent to the Court at the earliest.”

4. Mr. Sharma invites attention of the Court to CFSL report dated 23.10.2017, to contend that the report is incomplete inasmuch as the same has not given any opinion on various queries raised by the Investigating Officer (I.O.).

5. Besides that, the CFSL has not reported with regard to the age of paper on which the Wills have been superscribed, as well as, the age of ink used by the signatories.

6. He submits that the reason given by the CFSL is that such facility is not available with it. He contends that the facility is available with the FSL, Rohini.

7. He further submits that after the report was furnished by the CFSL, the same was made basis of closure report which was filed by the police. He contends that the said closure report was orally challenged by the defendant/applicant and the final order on the closure report came to be



passed by the Court of Chief Judicial Magistrate, Central Tis Hazari Courts, Delhi *vide* order dated 14.01.2026 whereby the closure report was accepted.

8. In this backdrop, the defendant was constrained to file the present application.

9. On the other hand, Mr. Sanjiv Bahl, learned counsel appearing on behalf of the plaintiffs submits that at no point of time any protest petition was filed by the applicant/defendant nor the same was orally challenged.

10. He submits that the report was furnished by CFSL as early as in the year 2017, however, the defendant/applicant did not file any application questioning the said report before this Court in the present suit.

11. Let relevant record pertaining to the closure report be filed in the present matter before the next date.

12. Re-notify on 10.09.2026.

13. In the meanwhile, the learned Joint Registrar may continue with the recording of plaintiffs' evidence.

VIKAS MAHAJAN, J

APRIL 29, 2026

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