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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 625/2010**

M/S YAHOO EXPORTS PVT LTD Plaintiff

Through **Mr. Vijay K. Gupta, Adv.**

versus

MANJIT KAUR & ORS Defendant

Through **Mr. Vijay Verma, Senior Scientific
Officer, CFSL, CBI, Lodhi Road,
Delhi.**

Mr. A.K. Padhy, Adv.

CORAM:

SANJAY JINDAL (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% 21.01.2019

Vide order dated 19.12.2018, Hon'ble Court has issued directions to send the agreement dated 07.02.2008 to CFSL, Lodhi Road, Delhi for their opinion as to whether the said agreement is genuine or fabricated. Further that the CFSL shall compare the signature of the parties on the said agreement with their admitted signatures.

The agreement dated 07.02.2008 is lying at page 2-3 of the documents filed by plaintiff and already marked as Ex.PW-1/3. The said document is purported to be signed by Ms. Manjit Kaur (defendant no. 1, since deceased), Mr. Uday Singh (defendant no. 2), Mr. Anoop Singh (defendant no. 3, since deceased) and Mr. Darshan Singh (defendant no. 4) as first party and authorized representative of the plaintiff as second party.

The dispute is regarding signatures of the defendants appearing

Contd...2



-2-

on the above mentioned agreement at three different places. Qua admitted signatures, it is submitted that the admitted signatures of defendant no. 4 are there on the written statement filed in this case on behalf of defendant nos. 2, 3 & 4 which is signed only by defendant no. 4.

Further that the document at page no. 2 of the documents filed by defendants alongwith list of documents dated 12.06.2010, which is titled as cancellation agreement, also bears the admitted signatures of defendant no. 4.

Further that the document at page no. 4 of the same list titled as agreement to sell and purchase bears the admitted signatures of defendant no. 2 and defendant no. 4.

Further that two documents at page no. 6 & 7 of the list dated 12.06.2010, titled as receipt, bear the admitted signature of defendant no. 4.

Further that the document at page no. 1 to 6 of the list of documents dated 31.08.2010 filed by defendants, titled as General Power of Attorney bears the admitted signature of defendant no. 4.

Further that the document at page no. 7 to 11 of the list of documents dated 31.08.2010 filed by defendants, titled as General Power of Attorney bears the admitted signature of defendant no. 2.

Learned counsel for plaintiff submits that the defendants be directed to produce the original documents for the purpose of comparison as per directions of the Hon'ble Court.

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-3-

Learned counsel for defendants submit that there is no document on the record of the present case which bears the admitted signature of defendant no. 1 but there are such documents on the record of one other matter which has already been decided and according to the directions of the Hon'ble Court, he has filed one application for calling of the said record but the said application is not listed today. He seeks some time to bring the said application on record and for further submissions on the documents to be sent for comparison.

In view of above, put up for further consideration on 31.01.2019.

Learned counsel for defendant is directed to produce the originals of the above documents which are photocopies filed by the defendants alongwith list of documents dated 12.06.2010 and 31.08.2010.

SANJAY JINDAL (DHJS)
JOINT REGISTRAR (JUDICIAL)

JANUARY 21, 2019/pk