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

+ **CM(M) 1544/2025 & CM APPL. 50825-50826/2025**

MUKESH SAINI

.....Petitioner

Through: Mr. Rajat Aneja, Mr. Anant Chaitanya
Datta & Mr. Vaibhav Saini, Advs.

versus

VIJAY MITTAL AND OTHERS

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

19.08.2025

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1. Petitioner is defending a suit for specific performance and is aggrieved by order dated 14.07.2025 whereby learned Trial Court has allowed the application filed by plaintiff and has permitted him to bring his expert witness in order to prove the document in question i.e. *Deed of Assignment*.
2. Learned counsel for petitioner submits that the entire case of the plaintiff is set up on the basis of abovesaid *Deed of Assignment* and, he knew from the beginning as to what is the stand of the defendants as execution of such document was clearly disputed and controverted by defendants in their written statement.
3. It is argued that if petitioner wanted to have some expert opinion with respect to the abovesaid document, he should have taken requisite steps when his evidence was going on and at such a belated stage when learned Trial Court is hearing final arguments, the abovesaid application should not have

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been entertained.

4. None appears on behalf of respondent/plaintiff despite advance notice.
5. Issue notice to respondents through all permissible modes, including dasti. Notice be also issued through counsel as well.
6. List on 08.12.2025.
7. The directions contained in para 14 of the impugned order shall remain in abeyance till next date of hearing.

MANOJ JAIN, J

AUGUST 19, 2025/ck/pb