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

+ TEST.CAS. 42/2014 & I.A. No. 9079/2019

AMITA GANDOAK

.....Petitioner

Through: Ms. Amrit Kaur Oberoi with Mr.
Manish Saryal, Advs.(Mob. No.
9899347678).

versus

STATE & ORS

.....Respondent

Through: None for R-1.
Mr. Lalit Gupta, Mr. Priyansh Jain
& Mr. Rajat Asija, Advs. for R-2
(Mob. No. 9810355699).

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. DEVENDER
KUMAR GARG (DHJS)**

ORDER

01.02.2023

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1. This matter is connected with TEST.CAS. 38/2014.
2. Vide order dated 19.12.2022 passed by Hon'ble Court, undersigned is required to prepare draft Joint Document Schedule after hearing the parties.
3. Both the parties were heard on aspect of admission/denial of documents and for preparation of Joint Document Schedule, on last date of hearing.
4. Ld. Counsel for respondent no.2 had contended that the petitioner in their previous affidavit of admission/denial of documents vide index no.553535/2015, document at sr. no.22 i.e. original letter dt. 04.09.2014 and document at sr. no.48 i.e. true copy of FIR no.149/2014 dated



17.11.2014 were admitted, however, when fresh affidavit of admission/denial of documents was filed on behalf of the petitioner under Delhi High Court (Original Side) Rules, 2018, there, the petitioner denied the above said documents. He further submitted that the petitioner could not have withdrawn her admission which they had made in their previous affidavits.

5. On the other hand, Ld. Counsel for petitioner had submitted that fresh affidavit of admission/denial of documents has been filed in view of provisions of Delhi High Court (Original Side) Rules, 2018 where more information is required to be provided in comparison to the details required for admission/denial of documents under previous Rules. She further contended that while the affidavit of admission/denial of documents was being prepared according to the provisions of Delhi High Court (Original Side) Rules, 2018, keeping in view the nature and contents of the said documents, petitioner was of the view that the said documents are required to be denied and hence, the above said documents were denied in the fresh affidavit of admission/denial filed on behalf of the petitioner.
6. Heard. Record perused.
7. Perusal of record would show that affidavit of admission/denial was filed by petitioner with respect to documents of respondent no.2 vide diary no.553535/2015, however, in compliance of order dated 18.09.2018, fresh affidavit of admission/denial of documents was filed by the petitioner under Delhi High Court (Original Side) Rules, 2018 vide diary no.555090/ 2018.



8. Perusal of record would further show that two affidavits of admission/denial was filed on behalf of the respondent no.2 with respect to the documents of the petitioner, vide diary nos.40436/2016 and 115453/2018, however, in compliance of order dated 18.09.2018, fresh affidavit of admission/denial of documents was filed on behalf of the respondent no.2 under Delhi High Court (Original Side) Rules, 2018 vide diary no. 377050/2018.
9. It is matter of record that fresh affidavits of admission/denial of documents have been filed on behalf of both the parties under provisions of Delhi High Court (Original Side) Rules, 2018. It is pertinent to note that more information is required to be provided by the parties in the affidavit of admission/denial required to be filed under Delhi High Court (Original Side) Rules, 2018. Thus, the undersigned is of the view that the documents are to be admitted and denied in accordance with the stand taken by the parties in their fresh affidavits of admission/denial filed under Delhi High Court (Original Side) Rules, 2018.
10. Perusal of the affidavits of admission/denial filed by both the parties would show that there are some documents on behalf of both the parties wherein existence of the same documents were admitted, however, contents of the same are denied. Such documents are being given different exhibit marks to the marks given to the documents which are admitted in entirety by the parties.
11. The respondent no.2 has admitted documents at sr. no.3, 8, 9, 10, 12, 13, 18, 23, 24 & 28 as mentioned in the Draft Joint Document Schedule and same are exhibited as



Ex.P-1 to Ex.P-10, respectively. The respondent no.2 has admitted existence of the documents at sr. no.7, 14, 15, 16, 17 & 35 as mentioned in Draft Joint Document Schedule and contents of the said documents have been denied and the same are exhibited as Ex.P-A to Ex.P-F, respectively.

12.The petitioner has admitted documents at sr. no.26, 49, 52 & 53 as mentioned in the Draft Joint Document Schedule and the same are exhibited as Ex.R2-1 to Ex.R2-4, respectively and the petitioner has admitted existence of document mentioned at sr. no.48 in Draft Joint Document Schedule and denied contents of the same and the same is exhibited as Ex.R2-A.

13.In view of above facts, admission/denial of documents stands concluded.

14.Draft Joint Document Schedule has been prepared and is kept on record.

15.It is submitted that the main matter and captioned IA are coming up for hearing before the Hon'ble Court on 08.02.2023.

16.At joint request, let the matter be placed before Hon'ble Court for further directions on the date already fixed i.e. **08th February, 2023.**

**DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)**

FEBRUARY 1, 2023/v

[Click here to check corrigendum, if any](#)