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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 1690/2011

PRATEEK MADHAN

..... Plaintiff

Through: Mr. Piyush Kaushik, proxy cl.
with plaintiff in person

versus

JAGDIP SINGH

..... Defendant

Through: Mr. Rajnish Ranjan & Mr.
Shivansh Srivastava, Advs.

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

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02.02.2024

Proceeding-12.44 p.m. to 1.15 p.m.

Evidence-12.45 p.m. to 1.05 p.m.

Pages-2

CS(OS)1690/2011

Previous cost of Rs.2000/- in cash has been paid by the plaintiff to learned counsel for the defendant today in the court.

As per office note, witness no.(a) Mr. Rakesh Arora of the List of Witnesses filed by the plaintiff, is served but none is present on behalf of him today. So, issue Show Cause notice to said witness for the next date of hearing.

Summoned witness Mr. Vishwajeet Singh (Mob.9810485053), Judicial Assistant, Record Room (Civil), Tis Hazari Courts, Delhi is present and stated that due to lack of details i.e. date of decision and Goshwara number, the summoned records are not traceable. At this stage, it is found that Certified Copy of Eviction Petition titled as “Kanwar Mohinder Singh Batalia & Anr. Vs. S. Harkrishan Singh” and Certified copy of Written Statement dated 24.12.1963 filed by the plaintiff, are already on record. Learned counsel for the defendant



submits that he has not objected to the mode of proof of the same and the Certified copies have already been exhibited as per law during evidence of PW1 as Ex.PW1/2. So, Originals of the same are not required. The plaintiff is not able to furnish any reason why the Originals are summoned when Certified copies of the documents already stand proved. Accordingly, the production of Original documents will serve no purpose and thus, the witness from Tis Hazari Courts, Delhi stands discharged.

The plaintiff has summoned the letter dated 12.02.2009. However, on perusal of the records, it is found that the said letter has already been admitted by the defendant and already exhibited as Ex.P-5 at the time of Admission/Denial of the documents. So, Original of the said letter is also not required.

Mr. Prem Prakash Katharia, Junior Secretariat Assistant, L&DO, Nirman Bhawan, Delhi (PW3) is present, examined and cross-examined.

One Mr. Rohit Vats (Mob.8588900451), (Data Entry Operator) from the office of Sub Registrar-VII, Vikas Sadan, INA, Delhi is present. It is noted that only Data Entry Operator is present on behalf of the Sub Registrar-VII with complete summoned records except the documents mentioned at Sr. No.2(b), which are pertaining to the year 1992 on the ground that they are not available in the office of the Sub Registrar VII. At this stage, it is stated by learned counsel for the defendant that in the facts and circumstances of the present matter, the court may direct the Sub Registrar-VII to be present personally on the next date of hearing with available summoned records as



he wants to cross-examine the witness as to the process of the registration of the documents.

In view of submissions made by learned counsel for the defendant, the Sub Registrar VII is directed to remain present personally on the next date of hearing with available summoned records produced today.

Diet money has been paid to all the witnesses present today in the court.

Re-notify the matter is listed today for remaining PE on 09.07.2024 at 2.00 p.m.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
FEBRUARY2, 2024/ab
[Click here to check corrigendum, if any](#)