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

+ **RFA(COMM) 666/2025**

M/S SAB IMPEX PVT LTD

.....APPELLANT

Through: Mr. Priyam Pandey, Mr. Pankaj
Sharma, Ms. Shivani Gupta, Ms.
Sakshi Choudhary and Ms. Nupur
Sharma, Advocates.

versus

M/S SKM CAPACITORS

.....RESPONDENT

Through: *Nemo*

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

% **23.03.2026**

CM APPL. 17904/2026 (For taking on record evidence/documents)

1. Along with the present appeal, an application under Order XLI Rule 27 read with Section 151 of the Code of Civil Procedure, 1860 (CPC) is taken out by the appellant-original plaintiff seeking production of additional documents.
2. It is the contention of the applicant-appellant that with Replication, the applicant-appellant has tried to place on record the very same documents which have direct bearing over the claim made in the suit, however, the said request was rejected on the ground that there was a failure on the part of the applicant-appellant in observing due diligence.
3. It is his contention that in view of the foundation being already laid before the Trial Court and in view of the trial being not commenced, the



Trial Court, ought not have rejected such prayer for bringing on record the said documents in the form of evidence and as such, there is a ground to consider the present appeal on merits.

4. Issue notice of the present application *i.e.*, application under Order XLI Rule 27 read with Section 151 CPC, main appeal *i.e.*, *RFA (Comm) 666/2025* as well as of application for condonation of delay to the respondent, returnable on 14th April, 2026 *i.e.*, the date already fixed in the main appeal.

NITIN WASUDEO SAMBRE, J

AJAY DIGPAUL, J

MARCH 23, 2026/ay/sk