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

+ **RFA(COMM) 45/2026 & CM APPL. 3808/2026**

CANARA BANK

.....APPELLANT

Through: Mr. Krishan Kumar and Mr. Seemant
K. Garg, Advocates.

versus

**M/S SHARMAJI BARTAN BHANDAR
& ANR.**

.....RESPONDENTS

Through: *Nemo*

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

20.01.2026

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CM APPL. 3807/2026 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

RFA(COMM) 45/2026 & CM APPL. 3808/2026

3. The suit for recovery initiated by the appellant came to be dismissed by the trial Court on the ground that the appellant has failed to prove the very basic and essential document viz. Loan Agreement.
4. Drawing support from the evidence of PW-1, it is the contention of learned counsel for the appellant that, once the examination-in-chief is not controverted by cross-examining the said witness and, in absence of written statement, the trial Court has committed an error in recording a finding that



loan documents were not proved.

5. Issue notice to the respondents, returnable in four weeks.
6. List on 29th April 2026.

NITIN WASUDEO SAMBRE, J

AJAY DIGPAUL, J

JANUARY 20, 2026/ay/ss