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

+ **CS(OS) 936/2015**

M/S HERO MOTOCORP LTD

.....Plaintiff

Through: Mr. Darpan Wadhwa, Sr. Advocate
with Ms. Manmeet Kaur, Mr.
Gurtejpal Singh, Ms. Divita Vyas and
Mr. Jai Dogra, Advocates.

versus

BANK OF BARODA & ANR.

.....Defendants

Through: Mr. Ramesh Kumar and Mr.
Ashutosh Prakash, Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

17.12.2024

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I.A. 48623/2024

1. This application has been filed by the Plaintiff under Order VII Rule 14 of the CPC seeking permission to bring on record the following documents:

“Document No.1: Certified Copies of Applications dated 08.09.2022 filed by the Plaintiff in Special Case CBI- 100064/2015 before the Hon'ble Sessions Court, Greater Bombay for inspecting original documents on record by the handwriting expert Mr. Deepak Jain.

Document No.2: Certified copy of the order dated 27.09.2022 passed in Special Case CBI-100064/2015 by the Hon'ble Sessions Court, Greater Bombay.

Document No.3: Certified copy of order dated 07.10.2022 passed in Special Case CBI-100064/2015 by the Hon'ble Sessions Court, Greater Bombay.



Document No.4: Certified copy of order dated 23.08.2017 passed in CS DJ No. 7837 of 2016 by ADJ - II, Rohini District Court, Delhi. ”

2. It is stated by the learned Counsel for the Plaintiff that an application, being IA No.2408/2020, has been filed under Order XXVI Rule 10A CPC for appointment of a hand-writing expert for examining the documents and this Court vide Order dated 27.05.2022 appointed Mr. Deepak Jain for inspecting the original documents that are a part of the record in Special Case CBI-100064/2015 before the Sessions Court, Greater Bombay.
3. It is stated by the learned Counsel for the Plaintiff that Document No.1 is the Certified Copies of Applications dated 08.09.2022 filed by the Plaintiff in Special Case CBI- 100064/2015 before the Hon'ble Sessions Court, Greater Bombay for inspecting original documents on record by the handwriting expert Mr. Deepak Jain. It is stated that Documents No.2 & 3 are the certified copies of the Orders dated 27.09.2022 & 07.10.2022 passed in Special Case CBI-100064/2015 by the Sessions Court, Greater Bombay.
4. It is stated by the learned Counsel for the Plaintiff that Documents No.1, 2 & 3 are all procedural documents which are necessary to show that the Order dated 27.05.2022 has been complied with in the manner known to law.
5. Learned Counsel for the Defendant states that Documents No.1, 2 & 3 do not find mention in the Plaint and, therefore, there is no necessity to file these documents as they have no relevance. As far as document No.4 is concerned, there is no objection from the learned Counsel for the Defendant in taking the same on record.



6. In the considered opinion of this Court, the relevancy of these documents will be seen in trial. At this juncture, this Court is not making any observations on the relevancy of these documents.
7. The submission made by the learned Counsel for the Plaintiff finds favour. No prejudice will be caused to the Defendants if the documents are brought on record.
8. In view of the above, this Court deems it fit to permit the Plaintiff to place on record the documents mentioned above.
9. The application is disposed of.
10. List before the Joint Registrar on 08.01.2025.

SUBRAMONIUM PRASAD, J

DECEMBER 17, 2024
Rahul