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IN THE HIGH COURT OF DELHI AT NEW DELHI

TEST.CAS. 65/2007

GURDEEP SINGH

.....Petitioner

Through: Ms. Chandrika Gupta, Adv.
(Mob.9910122455)

versus

STATE & ORS.

.....Respondents

Through: Mr. Subhash Chand & Ms.
Pooja, Advs. for R-2
Mr. R. K. Gupta, Adv. for Mr.
Gurmeet Singh Tony, President
of M/s Hindustan Co-operative
House Building Society with Mr.
Gurmeet Singh Tony in person

CORAM:

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

ORDER

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28.04.2025

TEST.CAS. 65/2007

It is stated by learned counsel for President of M/s Hindustan Co-operative House Building Society that he has already deposited previous cost of Rs.6000/- with Delhi High Court Legal Services Committee. He is directed to file proof of cost with the registry within two weeks.

In compliance of the last order dated 17.02.2025, learned counsel for President of M/s Hindustan Co-operative House Building Society has filed e-copy of Evidence Affidavit of Mr. Gurmeet Singh Tony, which reads as under:

“ I, Gurmeet Singh s/o Sh. Amrik Singh aged about 67 years r/o M-475, Guru Harikishan Nagar, Paschim Vihar, Delhi-P110063, do hereby solemnly affirm and declare as under:

1. That the deponent is the President of respondent society i.e. Hindustan Co-operative



H/B Society Ltd M-129, Guru Harikishan Nagar, New Delhi and as per the order dated 17.02.2025, the deponent was imposed a cost of Rs.6000/- which has already been paid on 27.02.2025.

- 2. That the undersigned tried to locate the requisite record and as the record is very old is able to trace out the relevant record and as per record the allotment of plot in question has been allotted to one Sh. Ranbir Singh resident of D-94, Paten Nagar, New Delhi and vide its letter dated 27.08.1996 the plot in question was allotted to Sh. Ranbir Singh and the physical possession of the plot was handed over vide its letter dated 14.12.1998.***
- 3. That deponent states that if any other information is required, the same shall be given if the record pertaining to the aforesaid plot is available. The photocopies of allotment letter and possession letter are annexed herewith.”***

On bare reading of said Evidence Affidavit of Mr. Gurmeet Singh Tony, it is found that the same is ambiguous as it does not clearly state what record could be traced by the witness. At this stage, the witness/Mr. Gurmeet Singh Tony submits that besides the aforesaid documents mentioned in his Evidence Affidavit i.e. photocopy of Possession Letter and Allotment Letter, only one more document is available in the records of M/s Hindustan Co-operative House Building Society i.e. Membership Register. He is directed to produce Original Membership Register alongwith copy of the relevant page pertaining to the present matter on the next date of hearing. The advance copy of the same be supplied to other side at least a week before next date of hearing.

Learned counsel for the petitioner submits that she



wants to cross-examine the witness but she has not been supplied with copy of his Evidence Affidavit, to which learned counsel for President of M/s Hindustan Co-operative House Building Society undertakes to supply the same within one week. Let needful be done as stated. Learned counsel for President of M/s Hindustan Co-operative House Building Society is also directed to supply copy of Evidence Affidavit of Mr. Gurmeet Singh Tony to learned counsel for respondent no.2 within one week through email.

Learned counsel for President of M/s Hindustan Co-operative House Building Society is also directed to file physical copy of Evidence Affidavit of Mr. Gurmeet Singh Tony within two weeks. Mr. Gurmeet Singh Tony is bound down to appear on the next date of hearing.

Re-notify the matter for remaining evidence of respondent no.2 on 28.07.2025.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)

APRIL 28, 2025/ab

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