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

+ **CS(OS) 355/2018**

ANURADHA SEN MOOKERJEE

..... Plaintiff

Through: Ms. Kashvi Dutta and Mr. Rudra
Dutta (M-8447357866)

versus

K.S. SAXENA & ANR.

..... Defendants

Through: Mr. Abhay Kumar, Advocate for D-1
(M-8010189854)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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13.05.2019

I.A. 6527/2019 (u/o XI Rule 4 CPC)

1. The Defendant No.1 has filed the present application seeking to place on record three documents, namely, D1, D2 and D3. All these documents are pleadings and orders from an earlier proceeding, being suit no.1268/1997, which was filed in this Court. The said documents are certified copies of the Court record. Accordingly, the same are taken on record and may be exhibited by the Joint Registrar. The Court has not gone into the relevancy of these documents for adjudication of any of the issues arising in the present case.

2. Those Defendants who do not file their affidavits of admission/denial, an adverse inference shall be drawn against them and the documents shall be marked by the Joint Registrar as admitted.



3. I.A. is disposed of in the above terms.

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4. The Ld. counsel for the Plaintiff, however, submits that there are no pleadings by Defendant No.1 in respect of these documents. Accordingly, they pray for permission to file an affidavit on behalf of the Plaintiff to deal with these documents. The said permission is granted. Affidavit be filed within four weeks.

5. Plaintiff is also permitted to file a statement of admission/denial in respect of the above documents before the next date.

6. List before Joint Registrar for marking of exhibits on 19th July, 2019.

7. List before Court on 18th September, 2019.

PRATHIBA M. SINGH, J

MAY 13, 2019

Rahul