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

+ CS(OS) 1161/2015

RAKESH GUPTA & ANR

.....Plaintiff

Through: Ms.Diksha Goswami, Advs. for
P-1
Ms. Vishakha Gupta & Mr.
Shivam Kumar Raheja, Advs. for
P-2 (a) to 2 (c) [appeared through
VC]

versus

SUSHIL KUMAR GUPTA & ORS

.....Defendant

Through: Mr. Keshav Sehgal, Mr. Harkirat
Singh, Mr. Shivam Gaur,
Mr.Aryan Kumar & Ms. Rashi
Singh, Advs. For D-1 & 2
(appeared through VC)

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. MANISH
SHARMA, (DHJS)**

ORDER

26.11.2025

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**I.A.No.19077/2025 (under Order XVI Rule 1A CPC
filed on behalf of the plaintiff for recording of evidence
of expert witness)**

1. As per office note, learned counsel for defendant no.3 & 4 have been served.
2. Rejoinder has been filed by the plaintiff no.2(A) to the reply of defendant no.1 & 2.
3. Affidavit of service has been filed on behalf of plaintiff no.2A to 2C.
4. By way of captioned IA, the plaintiff no.2(A) wishes to



examine one handwritten expert witness to prove one document, which was taken on record vide order dated 12.09.2024 passed by the Hon'ble Court. It is further averred that one of the documents is an electronic record in the nature of video recording and the said documents are relevant for adjudication of the present suit. It is further averred that the plaintiff no.2(A) was examined but could not generate HASH value(s), assistance of expert witness, namely, Ms. Priyanka Agarwal, Forensic Expert/Director at Connected Security Systems Private Ltd. (Forensic Division) accredited by National Accreditation Board of Testing and Calibration Laboratories was taken by plaintiff no.2(A). Thereafter, certificates of plaintiff no.2(A) and Ms. Priyanka Agarwal were filed on record.

5. It is averred that learned counsel for the defendant no.1 & 2 has raised objections to the examination of Ms. Priyanka Agarwal on the ground that her name is not mentioned in the list of witness. Thereafter, learned Local Commissioner recorded in his order dated 06.05.2025 that plaintiff may seek permission to examine Ms. Priyanka Agarwal. It is prayed that plaintiff no.2(A) may be permitted to examine the expert witness Ms. Priyanka Agarwal.
6. Learned counsel for the defendant no.1 & 2 has strongly opposed the captioned IA and submitted that by way of aforesaid expert witness, the plaintiff no.2(A) wishes to bring the additional documents on record. It is further argued that the name of the said witness is not mentioned in the list of witness filed by the plaintiffs.



7. Heard. Record perused.
 8. Perusal of record shows that the Hon'ble Court vide order dated 12.09.2024 allowed the plaintiffs to file additional documents on record. Now the plaintiffs want to prove said documents by bringing and examining an expert witness. It is a matter of record that the name of the said expert witness does not find mention in the list of witnesses filed by the plaintiffs, however, the necessity for examining the said witness arose for the plaintiff after additional documents of the plaintiffs were permitted to be taken on record. More so, the plaintiffs will not bring any further additional documents on record through this witness as the documents along with transcripts are already on record. The plaintiff no.2(A) could not generate or prove the HASH value(s) of the documents as the same are to be proved by an expert witness.
 9. Accordingly, the captioned IA is allowed. Plaintiffs are permitted to examine Ms. Priyanka Aggarwal, Forensic Expert/Director at Connected Security Systems Private Ltd. (Forensic Division) to prove the HASH value(s) of the documents.
 10. IA stands disposed of.
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11. Learned counsel for the plaintiff no.2 submits that evidence in this case is being recorded before learned Local Commissioner.
 12. Parties are directed to appear before learned Local Commissioner for examination of Ms. Priyanka Agarwal, expert witness on 10.12.2025.



13.Re-notify the matter awaiting the report of learned
Local Commissioner on **17th February, 2026.**

MANISH SHARMA, (DHJS)
JOINT REGISTRAR (JUDICIAL)
NOVEMBER 26, 2025/nk