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

+ **CS(COMM) 403/2017**

SHRI RISHI RAJ

.....Plaintiff

Through: Mr. Harish Malhotra, Senior Advocate with Mr. Rajender Agrawal and Mr. Anoop Kumar, Advocates.

versus

SAREGAMA INDIA LTD.

.....Defendant

Through: Mr. Gopal Jain, Senior Advocate with Mr. Ankur Sangal, Mr. Shashwat Rakshit and Mr. Bhuvan Malhotra, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

13.01.2026

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1. The suit is at the stage of examination-in-chief of DW-1, Mr. Yash Asai. On 27.10.2025 the matter was listed before the learned Joint Registrar for recording of evidence and Defendant No.1 produced the original documents, most of which are agreements filed as photocopies. As the order dated 27.10.2025 reads, out of 166 exhibits more than 100 documents are the agreements. Counsel for the Plaintiff raised an objection to the agreements being exhibited as OSR exhibits on the ground that the agreements were not filed as complete photocopies but had redactions and therefore, the originals brought by Defendant No.1 cannot be stated to be the originals of the photocopies. As an illustration, it was pointed out that the document sought to be exhibited as Ex.DW-1/3 was an agreement dated 13.06.1977, however, in the photocopy on record, Clause 7 thereof was



redacted, while the original brought by the witness had complete Clause 7. Counsel for the Plaintiff also pointed out that when replication was filed wayback in November, 2017, this aspect was highlighted and it was alleged that Defendant had manipulated the agreements while filing their photocopies.

2. Taking note of this objection by the Plaintiff, learned Joint Registrar observed that since the originals of the agreements were being shown to the Plaintiff's counsel, there was no problem in exhibiting the photocopies as OSR and the issue of redaction/alleged concealment could always be put to the witness in cross-examination. However, since the counsel for the Plaintiff was refusing to look into the original agreements, learned Joint Registrar placed the matter before Court for further directions.

3. After canvassing some arguments, learned Senior Counsels for the parties submit that the issue in controversy can be resolved and on instructions, it is agreed that:-

(a) Examination-in-chief of DW-1 will be conducted on the next date.

Defendant will share the unredacted photocopies of the concerned documents with the Plaintiff and/or his counsel for comparison with the originals for the purpose of exhibiting the documents as OSR. Thereafter, it will be open to the Plaintiff to cross-examine DW-1.

(b) After the documents are exhibited, the unredacted photocopies shall be placed by the learned Joint Registrar in a sealed cover, which will be kept in safe custody and will be opened at the appropriate stage, with the leave of the Court.

4. It is directed that evidence of DW-1 including his cross-examination



will be concluded by the learned Joint Registrar as expeditiously as possible and not later than two months from today.

5. List before the Joint Registrar on 02.02.2026, on which date DW-1 shall remain present for his evidence. No adjournment will be taken by the parties.

6. After the evidence stands concluded, matter will be placed before the Court for further proceedings.

JYOTI SINGH, J

JANUARY 13, 2026

S.Sharma