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

+ CS(OS) 526/2018

SH. VINOD ARORA.....Plaintiff

Through: Mr.Neeraj Kumar Jha, Adv.

versus

SARDAR GURMEET SINGH & ORS.....Defendants

Through: Mr.Naman Raj Thakur, Adv.

For D-1 & D-3.

Mr.Bhavneet Singh, Adv. For

D-2.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

16.07.2024

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I.A. 605/2023

1. This application has been filed by the plaintiff to bring on record additional documents in form of alleged cheques issued by defendant no.1 in favour of the plaintiff.
2. The learned counsel for the plaintiff submits that these cheques have been handed over by defendant nos.1 and 3 pursuant to a settlement of this suit arrived at between them and the plaintiff. He submits that, however, these cheques on presentation have been returned unpaid, for which separate proceedings have been filed against the said defendants under Section 138 of the Negotiable Instruments Act, 1881.
3. The learned counsel for the plaintiff submits that as these documents came into being post the filing of the present suit and have relevance to the issues raised in the suit, the plaintiff be allowed to place them on record.
4. The application is opposed by the learned counsel for defendant



Nos. 1 and 3, and the learned counsel for defendant No. 2. They submit that the plaintiff is falsely alleging that these cheques have been issued pursuant to some settlement talks for the present suit between the parties. The learned counsel for defendant Nos. 1 and 3 submits that, in fact, for two of the cheques in question, the plaintiff has filed another suit seeking recovery of the same amount.

5. I have considered the submissions made by the learned counsels for the parties.

6. At the present stage, the relevance or effect of these documents on the case of the parties is not to be considered. These documents/cheques and the returning memos are alleged to have come into being post the filing of the suit. As they may have a bearing in the adjudication of the suit, I find merit in the present application. The same is accordingly allowed. The documents are taken on record.

7. This, however, shall not prejudice the defence of the defendant in any manner as it would not be considered as an expression of opinion on the relevance or the effect of these documents on the suit. The defendant shall also be at liberty to file additional documents, if so advised, within a period of four weeks from today.

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8. List before the learned Joint Registrar (Judicial) for further directions on 4th October, 2024.

NAVIN CHAWLA, J

JULY 16, 2024/rv/as

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