

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 12424/2025

Jairam Bairwa Son Of Shri Gyarsiya Ram, Aged About 56 Years,
Resident Of Ward No.07, Shyalawas Khurd, Sikandara Road,
Bandikui, Distt. Dausa, Rajasthan.

-----Petitioner/Defendant

Versus

1. Dr. Sunil Kumar Gupta (Katta) Son Of Late Shri
Radheshyam Katta, Aged About 50 Years, Resident Of
Ward No. 37, Baswa Road, Bandikui, Distt. Dausa
(Rajasthan)

Respondent/Plaintiff

2. Rakesh Kumar Bairwa Son Of Shri Jairam Bairwa, Aged
About 33 Years, Resident Of Ward No. 07, Shyalawas
Khurd, Sikandara Road, Bandikui, Distt. Dausa,
Rajasthan.

-----Proforma Respondents/Defendant

For Petitioner(s)	:	Mr. Kailash Choudhary Mr. Sandeep Nagora
For Respondent(s)	:	

HON'BLE MR. JUSTICE BIPIN GUPTA

Judgment / Order

25/03/2026

1. The present writ petition has been filed assailing the order dated 08.07.2025, passed by learned Additional District and Sessions Judge No. 01, Bandikui, District Dausa, in Civil Suit No. 08/2020, whereby the application of the plaintiff-respondent under Order 7 Rule 14(3) read with Section 151 CPC has been allowed and the electronic evidence has been permitted to be taken on record along with certificate under Section 65-B of the Indian Evidence Act, 1872 (hereinafter referred to as the 'Act of 1872').

2. Learned counsel for the petitioner submits that earlier, the same electronic evidence was sought to be placed on record; however, the application filed under Order 7 Rule 14 CPC was rejected vide order dated 15.02.2025.

3. Learned counsel for the petitioner further submits that once the application for taking these documents on record had been rejected by the learned Trial Court, a subsequent application for taking the same documents on record ought not to have been allowed. He therefore, submits that the learned Trial Court has committed illegality and perversity in passing the impugned order dated 08.07.2025.

4. Heard and perused the material available on record.

5. This Court finds that while rejecting the earlier application under Order 7 Rule 14 CPC vide order dated 15.02.2025, the learned Trial Court declined permission to take the electronic evidence on record on the ground that it was not accompanied by a certificate as required under Section 65-B of the Act of 1872, which is mandatory for admitting electronic records in evidence.

6. The learned Trial Court, on the earlier occasion vide order dated 15.02.2025, rejected the prayer solely on account of the absence of the requisite certificate.

7. However, this Court finds that subsequently, when a fresh application was filed under Order 7 Rule 14 CPC for taking the electronic evidence on record, the certificate mandated under Section 65-B of the Act of 1872 was also placed on record by the plaintiff-respondent. Accordingly, the learned Trial Court considered the same and allowed the application under Order 7

Rule 14 CPC, permitting the electronic evidence to be taken on record along with the certificate.

8. This Court thus, finds no error so as to call for any interference under its writ jurisdiction under Article 227 of the Constitution of India.

9. With the above observation, the present civil writ petition stands dismissed.

10. All pending applications stand disposed of.

(BIPIN GUPTA),J