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IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of Reserve: February 11, 2010

Date of Order: 11th March, 2010

+ CM(M) 697/2007

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Suresh Gupta

Through: Mr. A.K. Gupta, Advocate

11.03.2010

...Petitioner

Versus

Satbir Gupta

Through: Mr. Vinay Garg and Mr. Brijesh Gupta, Advocates

...Respondent

JUSTICE SHIV NARAYAN DHINGRA

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporter or not?
3. Whether judgment should be reported in Digest?

JUDGMENT

1. By way of present petition under Article 227 of the Constitution of India, the petitioner has assailed an order dated 3rd April, 2007 passed by learned Additional District Judge (ADJ) Delhi whereby an application of the petitioner for sending certain receipts to India Security Press, Nasik Road for examination of revenue stamp affixed on the receipts was dismissed.

2. Petitioner herein is the defendant before the trial court in the suit. He summoned General Manager, India Printing & Minting Corporation of India, Nasik Road to appear as a witness so as to see the revenue stamp on the receipts and give evidence whether the revenue stamps pertained to the year 1997-1998. It is submitted that these receipts were false and fabricated and if they were sent to Nasik Press, the stamp affixed on receipt shall be examined by the Nasik Press and an opinion about the year of printing of

the revenue stamp shall be given.

3. It is not in dispute that the revenue stamp does not bear the date or year of its printing neither it was the case of the petitioner that the revenue stamp put on the receipts was not a genuine revenue stamp and was a forged and fabricated revenue stamp. The plea taken by the petitioner that the year of printing of revenue stamp would prove the document to be forged is a baseless plea since there is no restriction of using a revenue stamp of the year 1990 in the year 1997 or 1998. A revenue stamp does not become obsolete by passage of time. A person, who is having revenue stamps of the year 1990 saved with him, can use the same in the year 2000 and that would not make the document a forged document. I, therefore, consider that the entire effort of the petitioner has been to delay the proceedings. A similar application made by the petitioner earlier in respect of the document filed by the petitioner himself was dismissed by the trial court.

I find that this petition has no force and is hereby dismissed with costs of Rs.10,000/-.

March 11, 2010
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SHIV NARAYAN DHINGRA J.