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

+ **C.R.P. 44/2016**

THE PRINCIPAL K V G MEDICAL COLLEGE

..... Petitioner

Through Mr. H. Chandra Sekhar, Advocate

versus

PRITHVI RAJ

..... Respondent

Through None

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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29.03.2016

C.M. No.11274/2016 (Exemption)

Exemption allowed subject to all just exceptions.

Application disposed of.

C.M. No.11275/2016

C.R.P. 44/2016

C.M. No.11273/2016

Petitioner is aggrieved by the order dated 29.09.2015. Vide the said order the Trial Court had permitted the prayer made in the application filed by the plaintiff (page 46 of the paper book) wherein the prayer was to permit the plaintiff to substitute Annexure-A document with the certified extract as per Bankers Book Evidence Act.

The averments made in the application have been perused.

These averments disclose that the plaintiff inadvertently had

earlier not filed the certified statement of account as mandated by the Banker Book of Evidence Act and the prayer was accordingly made in the said application. The impugned order had allowed the prayer as made in the application.

Learned Counsel for the petitioner submits that the statement of account which has now been taken into account does not match the statement of account which has been filed by the plaintiff earlier and a revised statement of account where the figures are different cannot be permitted to be taken on account. This aspect shall be considered by the learned Trial Court.

Petition disposed of in the above terms.

INDERMEET KAUR, J

MARCH 29, 2016

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