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

+ CM(M) 158/2017 and CM Nos. 5308-09/2017

MADAN LAL WADHWA Petitioner
Through Mr.Puneet, the son of the petitioner
with petitioner-in-person

versus

GURPREET KAUR Respondent
Through

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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10.02.2017

1. The present petition is filed under Article 227 of the Constitution of India seeking to impugn the order dated 29.09.2016 whereby the application of the petitioner filed under Order 11 Rule 14 CPC seeking production of documents from the plaintiff was dismissed.
2. The respondent has filed the present suit for permanent injunction restraining the petitioner from using the portion No. 4 of the common lavatory block adjoining to quarter No. 3/47, Double Storey, Jangpura Extension, New Delhi-110014.
3. The petitioner has filed the present application under Order 11 Rule 14 CPC for production of documents. The application reveals the detailed documents which the petitioner seeks from the respondent/plaintiff. What the petitioner is essentially seeking are the documents which according to

him the respondent/plaintiff ought to have filed but have not filed. These are all documents pertaining to mostly L&DO. The trial court rightly held while dismissing the application that it is for the plaintiff to prove her own case and by way of present application, the petitioner/defendant is seeking production of documents which are not required at this stage. It also noted that the present application was only an attempt to linger on the trial.

4. A perusal of the list of documents sought would show that it is only a roving enquiry which the petitioner is seeking to undertake. There are no reasons to interfere with the impugned order of the trial court.

5. With the above observations, the present petition and all pending applications are dismissed.

JAYANT NATH, J

FEBRUARY 10, 2017

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