

\$~A-32

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

+ CM(M) 182/2017

HARJEET SINGH MENDIRATTA Petitioner
Through Mr. G.S.Narula and M.Sarwas,
Advocates.

versus

THE STATE & ORS Respondents
Through Ms.Sakshi Popli, Advocate for R-1
Mr.J.P.Singh, Advocate for the
Caveator/respondent

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER
15.02.2017

%

CAV. No. 148/2017

Since the counsel for the caveator has entered appearance, the caveat stands discharged.

CM(M) 182/2017 and CM Nos. 6058-60/2017

1. By the present petition filed under Article 227 of the Constitution India, the petitioner seeks to challenge the order dated 16.01.2017 by which an application filed for summoning of a judicial file was dismissed on the ground that the petitioner is needlessly delaying the matter since 2010 and has not completed his evidence.

2. I have heard the learned counsel for the parties.

3. Learned counsel for the petitioner has argued that the witness in question, namely, Record Keeper of the Court of Mr.Rakesh Kumar, ADJ,

South, Saket be summoned along with the record of the suit titled as “*Harjeet Singh Mendiratta vs. Sonia Mendiratta & Ors.*” as he had already been partly cross-examined earlier.

4. Learned counsel for the respondent has however, pointed out that the said witness was earlier discharged. He has also pointed out that the review petition filed by the petitioner was dismissed where the trial court has made certain observations against the petitioner.

5. Be that as it may, the admitted fact is that the certified copies of some of the documents which form part of the record in the suit for partition which is pending in the court of Mr. Rakesh Kuarm, ADJ, South, Saket have already been placed on record and have been exhibited by the respondent in his evidence by way of affidavit.

6. In view thereof, learned counsel for the parties agree that the certified copies of the documents from the record of the suit pending before the ADJ South Saket can be relied upon by the parties as per law.

7. In view of the above, the present petition stands disposed of. All pending applications also stand disposed of.

8. Copy of the order be given dasti under the signatures of the Court Master.

JAYANT NATH, J

FEBRUARY 15, 2017
rb