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

+ CM(M) No.805/2017 & CM No.27153/2017 (for stay).

MADAN LAL WADHWA Petitioner

Through: Mr. Puneet Kumar Wadhwa son of
the petitioner.

versus

GURPREET KAUR Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **21.09.2017**

1. This order is in continuation of the earlier order dated 1st August, 2017.
2. The petitioner in person has since filed written submissions for issuance of notice of this petition and in which the petitioner has also dealt with the observations contained in the order dated 1st August, 2017.
3. In the aforesaid written submissions, it is also stated that the petitioner / defendant owing to his age and ill health will be unable to appear before this Court and has authorised his son as an attorney to appear on his behalf.
4. Mr. Puneet Kumar Wadhwa who claims to be the son of the petitioner / defendant appears and was seeking to read out the written submissions. I have of my own read the written submissions.
5. The petitioner / defendant qua my observations in the order dated 1st August, 2017 has stated that the contents of the list of dates filed by him be also read as part of pleadings and the memorandum of the petition and the grounds taken in the memorandum of this petition be read.
6. I have perused the list of dates and the said grounds.

7. The grievance of the petitioner / defendant is (i) that the learned Civil Judge in the impugned order has not even discussed the documents filed by the respondent / plaintiff and which have been taken on record and has not even stated the particulars thereof; (ii) that no copies of the said documents have been supplied to the petitioner / defendant; (iii) that the Conveyance Deed filed along with the plaint is inadmissible in evidence; (iv) that the Gift Deed filed by the respondent / plaintiff along with the plaint is also inadmissible in evidence; (v) that the Guidelines dated 11th November, 1983 of the Land & Development Officer (L&DO) are forged; (vi) that the Civil Court cannot go into the aspect of forgery and cannot investigate the whereabouts of Professor Saranjit Singh or Mrs. Paramjit Kaur; and, (vii) that the respondent / plaintiff has indulged in falsity.

8. The petition is disposed of with the following directions / observations:-

- (i) The learned Civil Judge before whom the suit is pending, is requested to, on the next date of hearing, have the copies of the documents filed by the respondent / plaintiff on 8th March, 2017 delivered to the petitioner / defendant.
- (ii) With liberty to the petitioner / defendant to, if has not already objected to the admissibility of any of the documents in evidence at the time of putting of exhibit marks thereon, to even now have his objections with respect to the admissibility of any document recorded and which objections shall, if not decided immediately, be decided at the time of final arguments in the suit.

- (iii) With liberty to the petitioner / defendant to cross-examine the respondent / plaintiff or her witnesses or lead evidence with respect to forgery / fabrication of documents if in issue in the suit.

No costs.

Dasti under signature of Court Master.

RAJIV SAHAI ENDLAW, J

SEPTEMBER 21, 2017

‘pp’..

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