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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 29/2018 & CM APPL. 631/2018, CM APPL. 10897/2018
BALDEV RAJ AHUJA Petitioner
Through: Mr. Ajit Nair, Adv.

versus

WANTI DEVI & ORS Respondent
Through: Mr. Prayas Aneja, Adv. for R-1.
Mr. Anil Panwar, CGSC for R-3.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **11.07.2018**

The respondent nos. 2A to 2G were reported to have been served as per record. The respondent no.3, Union of India is arrayed on record as proforma party.

Vide the present petition, the petitioner assails the impugned order dated 03.11.2017 of the learned Court of the Civil Judge, East in Suit No. 8746/16 whereby the application filed by the plaintiff seeking to place on record additional documents and application seeking to tender additional plaintiff evidence on the said additional documents sought to be filed and the application seeking to place on record the Aadhar Card of the plaintiff submitting to the effect that the plaintiff could not place the same documents on record earlier due to some ill advice inasmuch as some of the documents pertained to the period of the date 18.02.2011 subsequent to the institution of the suit filed in the year 2006, which applications were all declined vide the

order dated 03.11.2017 observing *inter alia* to the effect that the requisite compliance under Order VIII Rule 14 (3) of the CPC which ought to be read as under Order VII Rule 14 (3) of the CPC, had not been made.

At the outset, on behalf of the respondent no.1 who is the only contesting party to the *lis*, it is submitted that there is no opposition to the prayer made by the petitioner so that there is an expeditious disposal of the matter. The respondent nos.2A to 2G are not present despite service and thus no further opportunity is granted to the respondent nos.2A to 2G to put forth their submissions in relation to the prayer. The respondent no.3, a proforma party, also does not oppose the prayer.

In view thereof, the petition is allowed in the interest of justice so that material submissions in relation to the rights of parties are brought forth on record for an effective adjudication of the *lis*. The impugned order dated 03.11.2017 is thus set aside and the applications annexed to the present petition as Annexure P-3, P-4 & P-5 are thus allowed to be placed on the record and the learned trial Court is directed to proceed further in accordance with law in terms of this order.

Copy of this order be sent to the learned trial Court.

ANU MALHOTRA, J

JULY 11, 2018

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