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

+ CRL.M.C. 2121/2018 & Crl.M.A.7557/2018

SMT SHAKUNTALA RAGHAV Petitioner

Through: Mr. Akhilesh Singh, Adv.

versus

SMT USHA RANI Respondent

Through: Mr. Niteshwar Singh, Adv. along
with respondent in person

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **17.07.2018**

1. Petitioner is aggrieved by order dated 22.03.2018 whereby the application of the petitioner has been dismissed by the Appellate Court for placing on record additional document.

2. Learned counsel for the petitioner submits that had the court erred him in refusing to take on record the said document on merits of the same, whereas the court should have considered as to whether the same could have bearing on the just decision of the case or not.

3. Learned counsel for the respondent submits that the said document is irrelevant as there are no details of the cheques mentioned in the said document. However, he submits that without prejudice to the rights and contentions of the parties, he has no objection in case the said document is taken on record and considered

by the appellate court.

4. In view of the above, impugned order dated 22.03.2018 is set aside. The petitioner is permitted to place on record the document annexed as Annexure P-5 to this petition (i.e. letter to the SHO, Rohini, Sector-16 and which bears a receipt of Police Station K.N. Katju Marg dated 04.04.2013).

5. It is clarified that this court has not expressed any opinion on the merits or relevance of the said letter and it would be open to the court to consider the same in accordance with law. This would also be without prejudice to the rights and contentions of the parties.

6. The petition is disposed of accordingly.

7. Order *Dasti* under signatures of the Court Master.

JULY 17, 2018
ns

SANJEEV SACHDEVA, J

