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

+ CM(M) 564/2016 and CM APPL.21348/2016 (stay)

S BHAJAN SINGH Petitioner

Through: Mr. Ankit Rajgarhia, Advocate

versus

LACHMAN SINGH & ANR Respondents

Through: Mrs. Inderjeet Saroop, Adv. for R-1.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **29.01.2018**

The petitioner is the second defendant in the civil suit (CS No.39/12) instituted by the first respondent (the plaintiff). The order impugned by the petition at hand was passed on 09.03.2016 whereby his application under Section 151 of the Code of Civil Procedure, 1908 (CPC) to bring on record certain additional documents belatedly was declined.

After some hearing, the learned counsel for the first respondent (the plaintiff) fairly concedes that the petition may be allowed and the documents may be permitted to be placed on record, though she reserves her right to raise objections to the admissibility, relevancy or mode of proof at the time of they being tendered in evidence, such concession for documents to be taken on record being without prejudice and rights to her contentions.

Thus, the petition is allowed. The impugned order is set aside. The documents in question shall be taken on record but, subject to the liberty as sought by the plaintiff of the case which stands granted.

The stay against the continuation of the proceedings in the suit is hereby vacated.

Since on account of said stay the progress in the case has remained stalled for more than one and a half year and the case relates to 2012, it is hoped and expected that the trial court will proceed expeditiously.

The pending application is rendered infructuous and stands disposed of.

Dasti.

R.K.GAUBA, J.

JANUARY 29, 2018

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