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

+ CM(M) 1314/2017

SATYENDRA KUMAR

..... Petitioner

Through: Mr. Amit Tanwar, Adv.

versus

MUKESH JAIN & ORS

..... Respondents

Through: Mr. Dushyant Sisodiya & Mr. Anand
V. Khatri, Adv. for R-1.
Ms. Neelima Dubey, Adv. for R-4.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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18.01.2018

After some hearing, the learned counsel for respondent No.1, who is the plaintiff of the suit (civil no. 8349/2016) fairly concedes that the petition may be allowed and that the petitioner may be permitted to bring on record the additional documents for which the application under Section 151 of the Code of Civil Procedure, 1908 (CPC) was moved though adding that given the consequent delay, the petitioner be burdened with suitable costs and further that the taking on record these documents be subject to strict proof of receipt of the document by the addressee, particularly with reference to the document in the nature of communication dated 15.02.2001 addressed to the Manager, Central Bank of India, 70, Janpath, New Delhi-110001.

The petitioner through counsel agrees to the above conditions to be imposed and prays that the petition may be allowed accordingly.

Given the delay which would occasion on account of fresh material being submitted, the prayer for such additional documents to be taken on record at the instance of the defendant numerous years after filing of the civil suit, the prayer is granted on costs of Rs. 30,000/-. The documents shall be taken on record but the burden of strict proof in such respect, particularly about the receipt by the addressee of the document dated 15.02.2001 shall remain that of the petitioner.

The petition and the applications filed therewith are disposed of in above terms.

R.K.GAUBA, J

JANUARY 18, 2018

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