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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 1052/2017 & CM APPL No.34548/2017**
JYOTI LOCHAB

..... Petitioner

Through : Mr.Vishwendra Verma, Mr.Pranav
Verma, Advocates.

versus

ARUN SHARMA

..... Respondent

Through : Mr.Satish Sahai, Advocate.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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01.05.2019

This petition challenges the order dated 05.09.2017 whereby an application under Order VII Rule 14(3) CPC filed to bring on record an agreement to sell dated 14.09.2004, the petitioner had one Mr.Ashok Kumar Jaiswal was dismissed. By this document, the petitioner intend to prove that she had enough money at her disposal to purchase the subject property. However it is also the case of the petitioner that she allegedly proved on record her bank statement which would reveal she had sufficient amount in her bank account at the relevant time to purchase the subject property. Thus in these circumstances, in any case, the agreement to sell dated 14.09.2004, would be wholly irrelevant and the learned Trial Court was thus right in dismissing the application under Order VII Rule 14(3) CPC though, primarily, on an other ground viz. of latches. There is no merit in this petition as there is no cogent ground to set aside the impugned order.

In the circumstances the petition stands dismissed. Pending application, if any, also stands disposed of.

YOGESH KHANNA, J.

MAY 01, 2019

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