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

+ CM(M) 1243/2022

MUKTA AGARWAL

..... Petitioner

Through: Mr.S.D.Singh, Ms.Shweta
Sinha and Mr.Sidhanth Singh,
advocates

versus

VINEET GUPTA

..... Respondent

Through: Ms.Rashmi Malhotra and
Mr.Shalinder Saini, Advocates

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Date of Decision: 18.11.2022

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

CM APPL. 49466/2022 (Exemption)

Exemption is allowed subject to all just exceptions.

Application stands disposed of.

CM(M) 1243/2022, CM APPL. 49465/2022

1. Present writ petition has been filed challenging the order dated 07.10.2022 whereby the objections as to the admissibility of photographs and pen drives have been dismissed by the learned trial court. Learned counsel for the petitioner submits that these objections have been dismissed despite court having noted the fact that in the proceeding itself the affidavit filed under Section 65 B of the Indian Evidence Act was not even signed.

2. Learned counsel for the respondent submits that these objections may be kept open to be decided by the learned trial court at the time of final adjudication. In the circumstances, the objections as to the photographs and pen drive as raised by the learned counsel for the petitioner shall remain open to be adjudicated by the learned trial court at the time of final adjudication in accordance with law. However, it is made clear that this court has not gone into the merits of the case.
3. Both the parties shall remain entitled to raise their rival contentions before the trial court.
4. With the above directions, the petition along with pending application stands disposed of.

DINESH KUMAR SHARMA, J

NOVEMBER 18, 2022

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