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

Date of decision: 12.12.2023

+ CM(M) 1477/2023 & CM APPL. 47099/2023

PAWANJIT SINGH BAWA

..... Petitioner

Through: Mr. Bhushan Kalia, Advocate

versus

UNION OF INDIA AND ANR

..... Respondents

Through: Ms. Manika Tripathy, Standing
Counsel, DDA

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CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

J U D G M E N T

MANMEET PRITAM SINGH ARORA, J (ORAL):

1. This petition filed under Article 227 of the Constitution of India impugns the order dated 10.08.2023 passed by SCJ-cum-RC, Central District, Delhi ('Trial Court') in CS SCJ 1444/2016, titled as **Pawanjit Singh Bawa v. Union of India**, declining permission to the Petitioner herein to summon two (2) official witnesses i.e., concerned officer from the Office of (i) Sub-Registrar-III, New Delhi; and (ii) Revenue Department, Mehrauli.

2. This matter was heard on 17.10.2023 and in pursuance thereto the



Petitioner has filed on 03.11.2023 the details of the exhibits of the documents, which were sought to be proved by summoning these two (2) official witnesses.

3. The documents Exhibit 'PW 1/3', Exhibit 'PW 1/7', Exhibit 'PW 1/8' are sought to be proved by summoning witness from office of Sub Registrar-III, New Delhi

4. The documents Exhibit 'PW 1/1', Exhibit 'PW 1/2', Exhibit 'PW 1/4', Exhibit 'PW 1/5', Exhibit 'PW 1/6', Exhibit 'PW 1/16', Exhibit 'PW 1/17' and Exhibit 'PW 1/19' are sought to be proved through Revenue Department, Mehrauli.

5. The learned counsel for the Petitioner states that for each of the aforesaid exhibited documents either the originals are on record or the certified copies are on record.

5.1 He states that the said documents have been tendered by PW-1 in his examination in chief. He further states that the documents have been marked as exhibits without any objections being raised by the contesting defendant, Delhi Development Authority ('DDA') with respect to the mode of proof.

6. The learned counsel for the Respondent, DDA also states on instructions that no objections as to the mode of proof has been raised.

7. In view of the admitted possession, this Court is of the opinion that the summoning of witness from the office of Sub Registrar-III, Delhi and Revenue Department, Mehrauli is not necessary as the documents have already been admitted in evidence and therefore, no interference is merited in the order of the Trial Court dated 10.08.2023.

8. The learned counsel for the Petitioner does not press for further cross examination of witnesses of Respondent, DDA. The said statement is taken



on record.

9. With the aforesaid observation, this petition is disposed of.

10. Pending application stands disposed of.

DECEMBER 12, 2023/msh/sk

MANMEET PRITAM SINGH ARORA, J

Click here to check corrigendum, if any