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

% ***Date of decision: 18<sup>th</sup> July, 2024***

+ **CM(M) 2551/2024 & CM APPL. 39826/2024**

**VANITA BATHLA**

.....Petitioner

Through: **Mr. Umang Tyagi with Ms. Aditi Kapoor, Advocates.**

versus

**SHASHI BAJAJ & ANR.**

.....Respondents

Through: **Mr. Roshan Santhalia, Advocates.**

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ JAIN**

**JUDGMENT (oral)**

1. The petition in question has been filed under Article 227 of the Constitution of India by petitioner (defendant before learned Trial Court), who is aggrieved by the dismissal of her application moved under Order XI Rule 1(10) read with Section 151 CPC.
2. Notice has already been issued.
3. In the interregnum, the present application, i.e. CM APPL.39826/2024 has been moved by the respondents. It has been contended by learned counsel for the respondents that they do not want any further delay in their suit and they would have no objection if the present petition is allowed and the defendant is permitted to place on record the documents which had been declined by the learned Trial Court.
4. These documents are mentioned in para 2 of the application moved by them under Order XI Rule 1(10) CPC and these are copy of



Agreement dated 07.03.2015 executed at 6:51 pm and copy of MCD property tax receipt dated 02.06.2018.

5. According to petitioner, these documents are very necessary for just and fair disposal of the case.

6. Be that as it may, keeping in view the facts of the case and nature of said documents and also in view of the fact that the petition has not been opposed and the respondents (plaintiffs before the learned Trial Court) have no objection if such documents are placed on record, the present petition is allowed.

7. Learned Trial Court would accordingly proceed further with the matter in accordance with law.

8. The plaintiffs (respondents herein) would be at liberty to move appropriate application before the learned Trial Court seeking preponement of the date.

9. The next date of 18.09.2024 fixed before this Court is cancelled.

**(MANOJ JAIN)**  
**JUDGE**

**JULY 18, 2024**  
**st**