



2024:CHC:18200



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% ***Date of Decision: 21st October, 2024***
+ **CM(M) 3664/2024 & CM APPL. 61772-61773/2024**
M/S ANGLIAN FINVEST PRIVATE LIMITED

.....Petitioner
Through: Mr. Kaustav Som with Mr. Aditya
Bhattacharya, Advocates.

versus

M/S ELECTREV MOBILITY PRIVATE LIMITED

.....Respondent
Through: None.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN
J U D G M E N T (oral)

1. Petitioner is plaintiff before the learned Trial Court and is aggrieved by order dated 09.09.2024 whereby his request to prove certain documents, which were already on record, through other witness has been dismissed.
2. It is submitted that the learned Trial Court has not appreciated the fact in the desired manner and rather asked the plaintiff to move application to bring on record such documents which had not been filed earlier. Learned counsel for petitioner/plaintiff reiterates that he never intended to file or submit any fresh document on record. Rather, all such documents were already on record and due to some oversight, these could not be proved earlier through PW-1 and in the aforesaid backdrop only, he had sought permission to examine PW-2-Mohasin Khan, Accounts Officer of plaintiff company to prove those documents.



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3. None appears on behalf of respondent despite advance notice.
4. Keeping in mind the fact that the documents were already on record, the present petition is disposed of with request to learned Trial Court to consider the above said application afresh, after giving due opportunity of hearing to both the sides.
5. Petitioner would also be at liberty to move application seeking review/recall of said order and in case any such application is moved, learned Trial Court shall hear the same also while re-considering the matter.
6. The petition stands disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

OCTOBER 21, 2024/sw