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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 206/2024 & CM APPL. 6522/2024 & CM APPL. 24362/2025
& CM APPL. 41644/2025 & CM APPL. 41747/2025
NARENDER SINGHPetitioner

Through: Mr. Medhanshu Tripathi, Mr. Satish Rana, Mr. Tushar Tokas, Ms. Arshi S. And Mr. O.P. Gaud, Advocates.

versus

SHAKUNTALA SOLANKI AND ANRRespondent
Through: Mr. Rajesh Sachdeva and Ms. Ashu Arora, and Mr. Ahishek Chandel Advocates.

+ CM(M) 207/2024 & CM APPL. 6524/2024 & CM APPL. 24255/2025
& CM APPL. 41647-41648/2025
NARENDER SINGHPetitioner

Through: Mr. Medhanshu Tripathi, Mr. Satish Rana, Mr. Tushar Tokas, Ms. Arshi S. And Mr. O.P. Gaud, Advocates.

versus

MONIKA SOLANKI AND ANRRespondent
Through: Mr. Rajesh Sachdeva and Ms. Ashu Arora, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **28.08.2025**

1. Since the identical issues have been raised in both the abovesaid petitions, these have been taken up together.
2. The plaintiff in both the abovesaid suits is Mr. Narender Singh (petitioner herein) *albeit* the buyers are different who have been impleaded as defendant No.1 in said suits.
3. The suits seek cancellation, declaration and injunction.
4. During the pendency of the abovesaid suits and before issues could be



framed, the plaintiff filed separate applications in such two suits. These were under Order VI Rule 17 read with Order I Rule 10 CPC and the grievance in the present petitions is with respect to the dismissal of such applications on 08.12.2023.

5. During course of the arguments, learned counsel for petitioner/plaintiff submitted that plaintiff is, *inter alia*, relying upon *call recording* dated 22.11.2019 and such recording, along with the transcript and certificate under Section 65B of Indian Evidence Act, 1872 (corresponding Section 63 of Bharatiya Sakshya Adhiniyam, 2023), are attached herewith as Annexure P-4.

6. After hearing arguments for some time, learned counsel for petitioner, without prejudice to his rights and contentions, submits that he would not press the present petitions but prays that the abovesaid call recording, transcription and certificate may be permitted to be taken on record of Trial Court in terms of Order VII Rule 14 CPC. He submits that during the trial, he would prove the same in accordance with law.

7. Learned counsel for respondent submits that though, the abovesaid exercise could have been easily undertaken by the plaintiff by moving appropriate application before the learned Trial Court, he, without prejudice to his rights and contentions and without admitting the abovesaid electronic evidence proposed to be placed by the plaintiff under Order VII Rule 14 CPC, would have no objection to the abovesaid limited request. He, however, submits that his one application moved under Order VII Rule 11 CPC is still pending adjudication in said suits and the learned Trial Court be requested to consider the same in accordance with law.

8. To the abovesaid proposal of learned counsel for



respondents/defendants, learned counsel for petitioner has also no objection.

9. The next date before the learned Trial Court is stated to be 01.11.2025.

10. In view of the above, the present petitions are disposed of as not pressed and, simultaneously, plaintiff, in terms of Order VII Rule 14 CPC, is permitted to place on record the electronic media containing call recording dated 22.11.2019, along with transcript and certificate.

11. A copy, thereof, be also provided to learned Counsel for defendants, if not already supplied.

12. It is, however, clarified that this Court has not made any observation with respect to the merits of the case, particularly, when the present petitions are being sought to be withdrawn and, therefore, the learned Trial Court shall decide the abovesaid application moved under Order VII Rule 11 CPC, without being influenced by any observation appearing in the present order.

13. Pending applications also stand disposed of in aforesaid terms.

MANOJ JAIN, J

AUGUST 28, 2025/sw/shs