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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% **Date of Decision: 2nd April, 2025**
+ CM(M) 605/2025 & CM APPL. 19149/2025 & CM APPL.
19150/2025
CHARANPAADUKA INDUSTRIES PVT LTD THROUGH ITS AR
VAIBHAV GUPTA

.....Petitioner

Through: Mr. Prem Garg, Advocate.

versus

MS SARAS KNIT INDIA

.....Respondent

Through: Mr. Abhishek Gupta, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT (oral)

1. Petitioner is defending a commercial suit and is aggrieved by order dated 10.03.2025 whereby his request to place on record certain additional documents has been discarded, being devoid of merit.
2. Curiously, the application had been moved under Order XI Rule 1 (5) CPC whereas, it should have been filed under Order XI Rule 1 (10) CPC.
3. During course of the arguments, learned counsel for petitioner/defendant has restricted his request, merely, with respect to placing on record *GST details*.
4. It is submitted that such details are mentioned in affidavit of the concerned witness i.e. DW-2 Mr. Inderjeet Singh and the permission to the abovesaid effect may be granted, as, even otherwise, these documents are of impeccable character. It is also submitted that these documents were not in the control and possession of the actual defendant and these are rather being



sought to be placed on record by the concerned witness himself.

5. Learned counsel for respondent/plaintiff appears on advance notice and submits that, without prejudice to his rights and contentions, he would have no objection to the abovesaid limited request.

6. Keeping in mind the overall facts and circumstances of the case, the nature of the proposed document and also the concession given by learned counsel for respondent/plaintiff, the petition is, partly, allowed by permitting the defendant to place on record the relevant documents pertaining to GST. Needless to say, these documents would still be required to be proved in accordance with law.

7. The petition, along with pending application, stands disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

APRIL 2, 2025/ss/js