



2026:DHC:1433



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI***Date of Decision: 18th February, 2026*

+ CM(M) 386/2026, CM APPL. 11131/2026 & CM APPL. 11132/2026
VIJAY SURESH GUPTAPetitioner

Through: Mr. Sohel Rishabh and Mr. Varun
Raghavan, Advocates through VC.

versus

ATRICA TRADEX PRIVATE LIMITED & ANR.Respondents
Through: None.

CORAM:
HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA

ORDER (Oral)

Rajneesh Kumar Gupta, J.

1. This hearing has been conducted through hybrid mode.
2. The present petition has been filed by the petitioner/defendant under Article 227 of the Constitution of India, 1950, assailing the impugned order dated 13th January, 2026, passed by the learned Trial Court in Civil Suit No. 1193/2018, whereby an application of the respondents/plaintiff seeking to place documents on record under Order VII Rule 14(3) Code of Civil Procedure, 1908 has been allowed.
3. I have heard learned Counsel for the petitioner and perused the record.
4. Learned Counsel for the petitioner has argued that the learned Trial Court has passed the impugned order on the basis of surmises and conjectures. It is submitted that no justification has been shown by the respondent for placing these documents on record after about seven years of



the institution of the suit, and that permitting the filing of such documents at this stage would prejudice the defence of the petitioner. Learned Counsel for the petitioner therefore prays that the impugned order be set aside.

5. The relevant portion of the impugned order dated 13th January, 2026 reads as follows:

“19. While the plaintiff states that the document came into existence after filing of the present suit, he has failed to show cogent reasons as to why the said document is being produced before this court after a delay of approximately 5 years as the inspection report, allegedly was completed as on 02.01.2020 and the present application was furnished before this court as on 07.04.2025.

20. However, said delay can be duly compensated to the defendant by way of cost as evidence has not been initiated in the present matter. It is trite law that procedure is handmaiden to justice and the court is of the opinion that due opportunity shall be granted to all parties to elucidate truth. As stated, as evidence has not been initiated, the defendant would get ample opportunity to question the plaintiff regarding the veracity of aforementioned documents. Needless to say, the defendant is at liberty to file an additional affidavit qua admission and denial of documents before this court. Lastly, the claim of the defendant that plaintiff is attempting to change the nature of suit cannot be entertained as no new amendment has been sought by the plaintiff in that regard specifically and the basis of recovery against defendant is claimed over inaction by the defendant for not seeking return of car.

21. In view of the same, application under Order VII Rule 14(3) CPC filed on behalf of the plaintiff stands allowed subject to cost of Rs.10,000/- to be paid to the defendant.”

6. It is submitted that issues have already been framed in the matter and the cross-examination of the respondent is still pending.

7. Keeping in view the fact that the evidence of the respondent is yet to be



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concluded, the petitioner shall have adequate opportunity to rebut these documents and no prejudice would be caused to the petitioner as the petitioner can be compensated by way of cost. This Court is of the opinion that the learned Trial Court has taken into consideration all of these relevant aspects and has passed a reasoned order in accordance with law, and therefore, the impugned order does not warrant any interference.

8. Accordingly, the petition is dismissed as being devoid of any merits. Pending application(s), if any, also stand disposed of.

RAJNEESH KUMAR GUPTA, J

FEBRUARY 18, 2026/MR/ik