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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 1415/2025**
M/S NITISH ENTERPRISESPetitioner
Through: **Mr. Vivek Gupta, Advocate.**

versus

M/S MOHIT FOOT ARTSRespondent
Through: **Mr. Saurav Bhasin, Advocate for R-1**
(through VC).

CORAM:
HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **19.01.2026**

1. This hearing has been conducted through hybrid mode.

CM(M) 1415/2025 & CM APPL. 3507/2026 (for stay)

2. The present petition has been filed by the petitioner under Article 227 of the Constitution of India, 1950 assailing the order dated 03rd May, 2025 passed by the trial court in CS (COMM) bearing in 332/24 whereby the application of the petitioner/plaintiff under Order XI Rule 5 read with Section 151 of the Code of Civil Procedure, 1908, to place some documents on record has been dismissed.

3. Learned counsel for the petitioner submits that the application for filing the documents was moved before the trial court prior to framing of issues. It is contended that the documents could not be filed because of the voluminous nature of the documents and non-filing of the said documents would cause prejudice to the petitioner.

4. *Per contra*, learned counsel for the respondent submits that the application has only been moved to delay the proceedings. It is argued that no



bona fide reason has been shown by the petitioner for not filing the documents along with the plaint and, therefore, the petition is liable to be dismissed.

5. Heard. Record perused.

6. Perusal of the impugned order shows that the documents sought to be placed on record are invoices. Issues are yet to be framed in the suit.

7. Keeping in view the facts and circumstances of the case and nature of the documents, this Court is of the opinion that it is in the interest of justice, that the said documents as sought to be placed on record by the petitioner can be taken on record, as the respondent can be compensated with cost. Accordingly, impugned order is set aside and the documents as sought by the petitioner are taken on record subject to payment of costs of Rs.25,000/- to the respondent.

8. Accordingly, the petition is disposed of in the above-stated terms, along with pending application(s), if any.

9. The date already fixed stands cancelled.

RAJNEESH KUMAR GUPTA, J

JANUARY 19, 2026

v/ik