

**CP NO. 5(ND)/2012
RT No.06/2016**

Ms.Sudevi Beriwal @Shalini Beriwal.

...Petitioner

Versus.

M/s Shree Lalit Fabrics Pvt. Ltd. & Ors.

...Respondents

Present: Mr. Aashish Chopra with Ms.Rupa Pathania and Ms. Niharika Sharma, Advocates for petitioner.
Mr. Rakesh Kumar with Mr. Vaibhav Sahni, Advocates for respondents.

Learned counsel for the respondents is directed to file two sets of Paper Book of the reply at least two days before the next date. Mr. Umang Pal, Senior Assistant of Hon'ble Punjab & Haryana High Court who was directed to produce the record of CA No.308 of 2001 in CP No.85 of 2001 has filed letter No.1914/RKJ dated 15.10.2016 from the Registrar General of Hon'ble High Court of Punjab and Haryana informing that record of aforesaid CA has since been weeded out and thus cannot be produced. The official present is therefore, discharged.

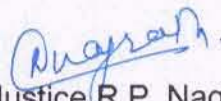
We have heard the counsel for parties on the application of the respondent dated 19.08.2016 for placing on record certain original documents. Learned counsel for petitioner has vehemently opposed the application with particular reference to paragraph 8 that all except two documents sought to be filed now were not relied upon in the original reply.

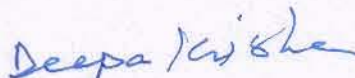
Having heard learned counsel for the parties we allow the application and the documents i.e. memorandum of understanding dated 13.02.1995, declaration of gift document dated 25.03.2006, two documents of declaration of gift dated 29.03.2006, declaration of gift document dated



09.11.2011, affidavit of Rakesh Khemka dated 15.02.2012 and affidavit of Neelmani Khemka dated 04.02.2013 be taken on record subject to just exceptions and keeping the question of veracity of these documents open. The other affidavits which are not lawfully attested cannot be accepted and prayer to that extent is rejected. The petitioner would be at liberty to counter these documents. So far as original share certificates are concerned it was already observed in the order dated 16.08.2016 that the respondent could move application for seeking permission for placing on record the original documents for which earlier application for return of the same was filed except for the share certificates which are of the year 1974 and 1976. The respondents however would be at liberty to show share certificates during the course of arguments, if so required.

Matter adjourned to 27.10.2016 and the petitioner may file affidavit, if any, by the next date by way of counter to the documents which have been taken on record.


(Justice R.P. Nagrath)
Member (Judicial)


(Deepa Krishan)
Member(Technical)

October 17, 2016

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