



2025:DHC:8593



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% *Date of Decision: 25.09.2025*

+ **CM(M) 1908/2025, CM APPL. 61331/2025 & 61332/2025**

M/S KARSHIVNIK INTERNATIONAL PVT LTDPetitioner

Through: Ms. Ankita and Mr. Deepak Kumar,
Advocates

versus

M/S GOLF INTERNATIONAL

.....Respondent

Through: None

CORAM: JUSTICE GIRISH KATHPALIA

ORDER (ORAL)

1. Petitioner/plaintiff has assailed order dated 09.09.2025 of the learned commercial court, whereby application of petitioner under Order VII Rule 14 CPC for permission to place on record additional document, which is the ledger account of the respondent/defendant maintained by the petitioner/plaintiff was dismissed, taking a view that it is at the stage of final arguments that now petitioner/plaintiff wants to fill in lacunae.

2. Having heard learned counsel for petitioner/plaintiff, I do not find this case fit to even issue notice.

3. It is submitted on behalf of petitioner/plaintiff that it is only on account of inadvertence that the said ledger account could not be filed at the



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appropriate stage and plaintiff would suffer prejudice if the same is not taken on record. No other argument has been advanced.

4. It appears from record that the respondent/defendant strongly opposed the application under Order VII Rule 14 CPC before the trial court, especially because defence of the respondent/defendant had already been struck off. It appears that despite there being no defence to the suit on record, the petitioner/plaintiff was not diligent.

5. Admittedly, the ledger account, now sought to be filed as an additional document was always in power and possession of the petitioner/plaintiff. Even in the Statement of Truth filed with the plaint, the petitioner/plaintiff categorically mentioned that all documents necessary for adjudication of the subject commercial suit were in power, possession, custody and control of the plaintiff and the same had already been filed with the plaint. The petitioner/plaintiff, despite the suit being a commercial suit, covered by a special enactment never even sought permission of the trial court to file any document at a subsequent stage.

6. So far as the reason advanced for failure to file the said ledger account in time, a vague submission of “inadvertence” cannot suffice. The petitioner/plaintiff was duty bound to be careful and diligent while preparing and instituting the suit.

7. In the impugned order, learned trial court has placed reliance on a judicial precedent from this Court itself in support of his decision. I am in



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complete agreement with the view taken by the learned trial court that if such spacious pleas of “inadvertence” in taking steps are accepted in the commercial suits, the same would completely defeat the very purpose of the special enactment by relegating a commercial suit to the status of an ordinary suit.

8. I am unable to find any infirmity, much less any perversity in the impugned order, so the same is upheld. Accordingly, the petition and the accompanying applications are dismissed.

**GIRISH KATHPALIA
(JUDGE)**

SEPTEMBER 25, 2025/as