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

% *Date of Decision: 09th May, 2025*

+ CM(M) 875/2025 & CM APPL. 28229/2025
HDB FINANCIAL SERVICES LTD

.....Petitioner

Through: Mr. Syed Hussain Adil Taqvi,
Advocate along with Mr. Abhishek
Sharma, Legal Asso.

versus

SURESH KUMAR DABLA AND OTHERS

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT (oral)

1. The point raised in the present petition is very a short one.
2. A suit has been filed by Mr. Suresh Kumar Dabla (respondent No.1 herein).
3. When the case reached at the stage of plaintiff evidence, some record was directed to be requisitioned from M/s. HDB Financial Services Ltd. The witness, though, appeared but not with the requisite record and, accordingly, the summoned record was directed to be produced again on 16.04.2025.
4. On 16.04.2025, though, Mr. Abhishek Sharma, Legal Associate- M/s. HDB Financial Services Ltd. appeared in person again but noticing that the record brought by him was not complete, the learned Trial Court, while adjourning the matter, has also directed appearance of the Managing Director of said company and to submit explanation as to why the summoned record



has not been produced, despite repeated service of process.

5. It is in the abovesaid backdrop that the present petition has been filed by M/s. HDB Financial Services Ltd.

6. On careful perusal of the matter, it is noticed that there is no illegality or perversity in the order.

7. The process issued by the court has to be given due adherence and the court got agitated, and, rightly so, as despite repeated process being issued to the said company, the complete record had not been produced.

8. During course of the arguments, learned counsel for the petitioner submitted that on the next date before the learned Trial Court i.e. on 24.05.2025, it would be ensured that the authorized official appears with complete summoned record.

9. It is submitted that there was never any intention to defy or disobey the order of the learned Trial Court and it was only on account of inadvertence that the complete record could not be produced said date.

10. Mr. Abhishek Sharma, Legal Associate, is also physically present in Court and it is undertaken that the entire summoned record would be produced by him before the learned Trial Court on said date.

11. Keeping in mind the statement of learned counsel for petitioner and also of Mr. Abhishek Sharma, the present petition is disposed of with direction that the entire such record be produced before the learned Trial Court on said date i.e. 24.05.2025.

12. The personal appearance of the Managing Director is dispensed with, particularly, in view of the specific assurance given at the Bar by the learned counsel for the petitioner company.

13. However, in case, even on the next date, the record is not produced or



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incomplete record is produced, it will be upto the learned Trial Court to pass appropriate order for non-compliance.

14. The petition stand disposed of in aforesaid terms.

15. Since the petition is disposed of in *limine*, a copy of this order be sent by Registry to the learned Trial Court, for information.

16. Pending application also stands disposed of.

(MANOJ JAIN)
JUDGE

MAY 9, 2025/ss/SS