



2026:DHC:6604



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

% Date of Decision: 05.08.2026

CNR No.DLHC010094322024

+ CS(OS) 168/2024, CCP (O) 89/2024 and IA Nos.4621/2024, 41105/2024, 41127/2024, 42045/2024

MS SURRINDERJIT KAURPlaintiff

Through: Mr. Nitin Gupta and Ms. Tia Sachdeva, Advs.

versus

MR JASWINDER SINGHDefendant

Through: Mr. Viraj R. Datar, Sr. Advocate with Mr. Ansh Singh Luthra and Mr. Nitish Chaudhary, Advocates.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

SACHIN DATTA, J. (ORAL)

1. The matter has been listed in the Court in the backdrop of the following order dated 13.07.2026 passed by the Joint Registrar:

Admission/denial of documents has been done today.

Defendant has admitted 28 documents of plaintiff which have been exhibited as Ex. P-1 to Ex P-28. Ld. Counsel for defendant has signed the admitted documents on behalf of defendant.

Plaintiff has admitted 36 documents of defendant which have been exhibited from Ex. D-1 to Ex. D-36. Ld. Counsel for plaintiff has signed the admitted documents on behalf of plaintiff. The relevant entries have been made in the Joint Documents Schedule.

So far as other documents filed by the defendants are concerned, Ld. Counsel for plaintiff admitted the signatures but denying the contents. Admittedly to such documents no prayer has been sought by the plaintiff to declare them as null and void either by declaration or cancellation. Ld. Counsel



for defendant states that the purpose of admission/denial is to shorten the trial / evidence process and that at this stage only, the plaintiff either has to admit the documents or to deny them in toto.

Let in these circumstances, matter be placed before the Hon'ble Court for further directions on 05.08.2026.

2. The legal position is well-settled that the admission/execution of documents and the proof of contents thereof, are two entirely separate things.

3. In the case ***S. Sangeetha and Others Vs Tmt. P. Ponni*** 2026 SCC OnLine SC 1512, the Supreme Court has held that mere marking of a document as an exhibit does not prove the contents of the document/s. The execution of a document and the veracity of its contents are different facets. It was observed by the Supreme Court as under:

“11. It is also settled law that mere marking of a document as an exhibit, is not a proof of the contents thereof. A Division Bench of this Court in LIC v. Ram Pal Singh Bisen had observed:

“25. We are of the firm opinion that mere admission of a document in evidence does not amount to its proof. In other words, mere marking of exhibit on a document does not dispense with its proof, which is required to be done in accordance with law.

31. Under the law of evidence also, it is necessary that contents of documents are required to be proved either by primary or by secondary evidence. At the most, admission of documents may amount to admission of contents but not its truth. Documents having not been produced and marked as required under the Evidence Act cannot be relied upon by the court. Contents of the document cannot be proved by merely filing in a court.”

(emphasis supplied)

4. Reference in this regard may also be made to ***Narbada Devi Gupta Vs Birendra Kumar Jaiswal and Another*** (2003) 8 SCC 745, wherein, the Supreme Court has observed as under:-



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“16..... The legal position is not in dispute that mere production and marking of a document as exhibit by the court cannot be held to be a due proof of its contents. Its execution has to be proved by admissible evidence, that is, by the “evidence of those persons who can vouchsafe for the truth of the facts in issue”.....”

5. Accordingly, where a document is admitted, the execution of which is not in dispute, the consequence is that the document would be taken as authentic, implying that no further requirement would be there to formally prove execution of the concerned document/s, but the same would not amount to any admission as to the contents thereof.
6. In the aforesaid conspectus, let the admission/denial of the documents be completed.
7. List before the concerned Joint Registrar (Judicial) for further proceedings on 27.08.2026.

SACHIN DATTA, J

AUGUST 5, 2026/at/nb