

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

111

CR No.4910 of 2016
Date of Decision:10.11.2017

Ritu Aggarwal

...Petitioner

Versus

Sachin Aggarwal

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vineet Chaudhary, Advocate
for the petitioner.

Mr. Hemant Bassi, Advocate
for the respondent.

ANIL KSHETARPAL, J.(Oral)

Wife-petitioner is in revision petition against order dated 22.01.2016 refusing permission to amend the written statement under Order 6 Rule 17 CPC. Petitioner has pleaded that the written statement filed by her to the divorce petition filed by the husband needs elaboration. It is not in dispute that trial has commenced.

Order 6 Rule 2 CPC reads as under:

“2. Pleading to state material facts and not evidence.-

(1) Every pleading shall contain, and contain only, a statement in a concise form of the material facts on which the party pleading relies for his claim or defence, as the case may be, but not the evidence by which they are to be proved.

(2) Every pleading shall, when necessary, be divided into paragraphs, numbered consecutively, each allegation being, so far as is convenient, contained in a separate paragraph.

(3) Dates, sums and numbers shall be expressed in a

pleading in figures as well as in words.”

A careful reading of the Order 6 Rule 2 CPC shows that only facts are to be pleaded in concise form. Evidence is not required to be pleaded in the pleadings. Once facts have already been pleaded, no further elaboration is required as per Order 6 Rule 2 CPC.

Lest, it is misunderstood, the parties would be free to lead their evidence.

With these observations, revision petition is disposed of.

10.11.2017
sheetal

(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes
Whether Reportable : No