



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

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**CR-5825-2023 (O&M)
Date of decision : 17.09.2025**

Sunita Rani Chopra

..... Petitioner

versus

Sukhdev Raj and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Rajan Bansal, Advocate
for the petitioner.

Mr. Shubham Kaushik, Advocate
for respondent No.1.

PANKAJ JAIN, J. (Oral)

1. Challenge is to the order dated 21.07.2023 whereby in an application filed under Order XXX Rule 8 CPC by Sahil Singh Chopra-defendant No.2 stands allowed. However, the name of Sahil Singh Chopra has been ordered to be deleted, but Sunita Rani Chopra has been ordered to be impleaded.

2. The respondent filed suit for recovery against a company i.e. proforma respondent No.2 seeking recovery of an amount of Rs.10 lakh on account of business transactions. The memo of parties of the plaint reads as under:-

“Sukhdev Raj s/o Sh. Mangu Ram, Sole Proprietor of M/S Akash Trading Company Raman Mandi, Tehsil Talwandi Sabo, Distt. Bathinda.

---Plaintiff

Versus

1. EURO Pesticides Private Limited village Dabarthala, Tehsil Nilokheri, Distt. Karnal (Haryana) through its Director/Proprietor Sahil Chopra s/o Bhag Singh Chopra.



2. Sahil Chopra s/o Bhag Singh Chopra Sole Proprietor/
Director, EURO Pesticides Private Limited village
Dabarthala, Tehsil Nilokheri, Distt. Karnal (Haryana).

---Defendants”

3. Defendant No.2 Sahil Chopra moved an application under
Order XXX Rule 8 CPC seeking his deletion in the personal capacity.

The same stands allowed by the Trial Court observing as under:-

“6. In view of the law cited above the application in hand is allowed and the applicant/defendant No. 2 is declared improperly joined. His name as per Order I Rule 10(2) of the Code is hereby struck off. Before parting with the order it is hereby added that as per the Articles of Association Sunita Rani Chopra and Sahil Singh Chopra (defendant No.2) were the Directors at the time of the arisen of the cause of action. So they be impleaded as Directors and defendant no 1 be impleaded as Euro Pesticides and others through its directors as per Order XXX of Code of Civil Procedure, 1908.

7. However, the observations of mine made, while disposing this application will have no effect on the merits of the case. Now to come upon 31.7.2023 for filing of amended title as mentioned above.”

4. The petitioner, who is also one of the Directors, has been ordered to be impleaded as Director of respondent No.2.

5. Counsel for the respondent-plaintiff is not in a position to dispute that in a civil action initiated by the plaintiff-company being a juristic persona, is sufficient to sue. The Directors need not be sued in their personal capacity. It has come on record that Sahil Singh Chopra is one of the Directors of the company and he has been arraigned as such vide impugned order.

6. In the considered opinion of this Court, one of the Director is representing the company. The Trial Court ought not have impleaded Sunita Rani Chopra alongwith Sahil Singh Chopra.



7. In view thereof, ordered to the extent that the petitioner Sunita Rani Chopra has been impleaded in her capacity as a Director, is ordered to be deleted.
8. With the aforesaid modification in the impugned order, the present petition is disposed off.
9. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(PANKAJ JAIN)
JUDGE

17.09.2025
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No