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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 203/2025 & CM APPL. 5997/2025**
SUNITA ARORAPetitioner
Through: Mr. Ajit Pratap Singh, Advocate.
versus
ICICI BANK LTDRespondent
Through: Mr. Deepak Kaushik with Mr. Manish
Yadav, Ms. Ruchi Kaushik,
Advocates.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **01.09.2025**

1. Petitioner is defending a suit which is commercial in nature.
2. Admittedly, trial is already over and the case is at the stage of final arguments.
3. Defendant had moved an application seeking amendment in the written statement, in order to, primarily, demonstrate that the suit had not been instituted by a duly authorized person and that the suit in question was not raising any “*commercial dispute*”.
4. These aspects, without being averred in the pleadings, can always be considered by the learned Trial Court and appropriately answered, after hearing arguments from both the sides.
5. Learned counsel for respondent/plaintiff submits that not only the suit was instituted by an Authorized Official but it also raises a commercial dispute. He, however, submits that he would have no objection, if at the time of hearing final arguments, the learned Trial Court consider abovesaid averments raised by the defendant.
6. In view of the above, learned counsel for petitioner also does not press



for any further relief.

7. The present petition is, accordingly, disposed of as not pressed with liberty to defendant raise said averments at the time of final arguments

8. It is, however, clarified that this court has not expressed any opinion with respect to abovesaid averments and the learned Trial Court would be at liberty to decide those, without being influenced by any observation appearing in this order.

9. A Copy of this Order be given *dasti* under the signatures of the Court Master.

MANOJ JAIN, J

SEPTEMBER 1, 2025/sw/SHS