

CR-4704-2018

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2026:PHHC:014832



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-4704-2018

Date of decision : 02.02.2026

M/s M.R. Gaurav & Company Commission Agents

... Petitioner

Versus

Sukhdeep Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Naresh Jain, Advocate
for the petitioner.

Mr.Harmanpreet Sehgal, Advocate
for the respondent.

Mr.K.B.S. Mann, Advocate.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the order dated 04.05.2018 passed by the trial Court, vide which the application under Order 6 Rule 17 CPC read with Section 151 CPC filed by the petitioner has been dismissed.

2. On 26.07.2018, a Co-ordinate Bench of this Court was pleased to pass the following order:-

*“Present: Ms. Anjali Khosla, Advocate
for the petitioner.*

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Learned counsel for the petitioner contends that proposed amendment in the plaint is an elaboration of facts already pleaded. Plaintiff shall not lead any evidence on the proposed amendment which is explanatory in nature. The evidence already led by the plaintiff be read for the proposed amendment as well.

Notice of motion for 21.9.2018.

*In the meantime, passing of final order shall remain stayed.
July 26, 2018”*

3. Learned counsel for the petitioner has submitted that delay, if any would only prejudice him as it is his suit for recovery of money. It is further submitted that the petitioner only wishes to state the facts which are explanatory in nature and thus, the amendment be allowed.

4. Learned counsel for the respondent have submitted that the amendment application has been filed after much delay and it is only to overcome objections taken in the written statement. It is further submitted that in case the amendment is to be allowed, then, the plaintiff should not be permitted to lead further evidence and costs be imposed upon the petitioner for inconvenience caused to the respondent. It is further submitted that the respondent be granted opportunity to file amended written statement.

5. Learned counsel for the petitioner has fairly submitted that he has no objection to the said course of action and has further submitted that the petitioner is ready to pay Rs.10,000/- as costs to the respondent.

6. Keeping in view the above said facts and circumstances and the fair stand taken on behalf of the petitioner as well as the respondent, the



impugned order is set aside and the present revision petition is disposed of with the following observations / directions:-

- i) The petitioner would file the amended plaint and also deposit Rs.10,000/- as costs within a period of three weeks from today. The said amount would be paid to the respondents and in case the said amount is not deposited, then the present revision petition shall be deemed to have been dismissed.
- ii) The petitioner, as undertaken before this Court, would not lead any further evidence. The respondent would be given an opportunity to file amended written statement.
- iii) This Court has not opined on the merits of the amendment and the said aspects and all other aspects would be considered by the trial Court at the stage of final arguments.

(VIKAS BAHL)
JUDGE

February 02, 2026.
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No