



CR-4093-2026(O&M)

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

(125)

CR-4093-2026(O&M)
Date of Decision:-21.05.2026

Jagmohan Singh

.....Petitioner

Versus

Sharanjit Kaur

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Vivek Salathia, Advocate
for the petitioner.

Smt. Sharanjit Kaur i.e. respondent in person.

AMARINDER SINGH GREWAL, J.

1. The present revision petition has been filed under Article 227 of the Constitution of India seeking setting aside of the impugned order dated 03.04.2026 passed by the learned Additional District Judge, SBS Nagar, whereby the application filed by the petitioner for striking off the supplementary affidavit submitted by the respondent, allegedly without leave of the Court, has been dismissed.

2. Brief facts of the case are that the petitioner/plaintiff instituted a civil suit for recovery against the respondent/defendant. The learned trial Court decreed the said suit vide judgment and decree dated 06.05.2014. Thereafter, the petitioner preferred a civil appeal before the learned District Judge on 03.07.2014; however, the same was dismissed as withdrawn on 05.12.2018. Subsequently, the respondent filed an appeal after a delay of

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1717 days along with an application for condonation of delay. The said application came to be dismissed in default on 13.02.2024 due to non-prosecution and was thereafter restored on 01.09.2025. On 29.09.2025, the respondent tendered her affidavit by way of examination-in-chief. Thereafter, on 09.12.2025, the respondent filed a supplementary affidavit along with several documents without seeking leave or permission of the Court. Aggrieved thereof, the petitioner moved an application for striking off and not taking on record the said supplementary affidavit. However, the said application was dismissed by the learned Additional District Judge, Shaheed Bhagat Singh Nagar vide order dated 03.04.2026. Hence, the present petition.

3. Learned counsel for the petitioner submits that the learned Court below committed material illegality in dismissing the application and permitting the supplementary affidavit to remain on record without there being any substantial necessity for effective adjudication of the case. He further submits that the documents sought to be introduced through the supplementary affidavit do not establish any justification for the delay of more than five years in filing the appeal and, therefore, the finding recorded by the learned Additional District Judge that no new facts had been introduced is wholly unsustainable in the eyes of law. He further contends that while dismissing the application, the learned Court failed to apply the settled principles of law that once an affidavit by way of examination-in-chief has been tendered, any subsequent supplementary affidavit requires prior leave and permission of the Court. He further submits that the supplementary affidavit has been filed merely to fill up lacunae and delay

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the proceedings, as the same was submitted after repeated adjournments and after availing numerous opportunities. He further submits that the action of the respondent is contrary to settled principles of law and, therefore, the supplementary affidavit filed before the learned Court could not have been considered.

4. The respondent, who is present in Court, submits that she does not require the assistance of any counsel and intends to address arguments herself. Upon this, Mr. Ashwani Talwar, learned Senior Advocate, who had earlier appeared voluntarily on behalf of respondent—Smt. Sharanjit Kaur, submits that he does not represent the respondent in the present case. The respondent submits that the supplementary affidavit produced before the learned Court is essential and necessary for proper and effective adjudication of the matter and that the settled principles of law have been duly followed. Accordingly, prayer has been made for dismissal of the present revision petition.

5. I have heard learned counsel for the petitioner and also the respondent-Smt. Sharanjit Kaur, in person and have gone through the paper-book.

6. The primary grievance raised by the petitioner is that the respondent had filed a supplementary affidavit along with certain documents without seeking prior leave of the Court and, therefore, the same ought not to have been taken on record. The contention of the petitioner is that such supplementary affidavit had been filed merely to fill up lacunae and delay the proceedings. However, this Court does not find merit in the

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said submissions. A perusal of the impugned order reveals that the learned Court below, while dismissing the application filed by the petitioner, recorded a finding that the supplementary affidavit did not introduce any new facts and had been placed on record only to support and clarify the averments already made in the original affidavit. It was further observed that the documents produced along with the supplementary affidavit were necessary for proper and effective adjudication of the matter. The learned Court, after considering the nature of the documents and the stage of proceedings, exercised its judicial discretion in permitting the same to remain on record. It is a settled principle of law that procedural provisions are intended to advance the cause of justice and not to obstruct adjudication on merits. Mere filing of a supplementary affidavit, particularly where no new case is sought to be introduced and where no prejudice is shown to have been caused to the opposite party, cannot by itself be a ground to strike off such affidavit. Further, the petitioner would have sufficient opportunity to rebut the contents of the supplementary affidavit and contest the documents sought to be relied upon by the respondent, as also observed by the learned Additional District Judge, SBS Nagar, in the impugned order dated 03.04.2026.

7. The law permits parties in contested proceedings to place on record all relevant and supporting material necessary for complete and effective adjudication of the dispute. Denying an opportunity to a party to place relevant supporting documents on record, particularly when such documents are intended to substantiate the existing pleadings and do not alter the nature of the case, may impede proper adjudication of the matter. It



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is imperative for the Court to have before it all material facts and relevant documents so as to render a just, fair and substantial decision. Since no prejudice is likely to be caused to the petitioner, who retains full opportunity to contest the supplementary affidavit and the accompanying documents, this Court finds no justification to deny the respondent such opportunity. Accordingly, this Court does not find any infirmity, illegality or perversity in the impugned order dated 03.04.2026 passed by the learned Additional District Judge, SBS Nagar.

8. In light of the above, the present revision petition stands dismissed, without commenting upon the merits of the case.

9. Pending application(s), if any, also stand disposed of accordingly.

(AMARINDER SINGH GREWAL)
JUDGE

21.05.2026
Shubham

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No