

2026:PHHC:079718



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

CR-4233-2026

Date of Decision: 20.05.2026

Shivani and another

....Petitioners

Versus

Raj Kumar and others

....Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Rajesh Goyal, Advocate,
for the petitioners.

VIKRAM AGGARWAL, J. (ORAL)

The instant petition, preferred under Article 227 of the Constitution of India, prays for the issuance of a direction to the Court of Additional Civil Judge (Junior Division), Ganaur, to decide the application under Order 6 Rule 17 of the Code of Civil Procedure (hereinafter referred to as 'the CPC') filed in Civil Suit bearing No. CS-299-2022 titled as 'Shivani & another Versus Raj Kumar & another', within a specified time and further direct the trial court to decide the civil suit within a time bound manner.

2. It has been averred that the civil suit was filed by the petitioners on 18.07.2022. The defendants filed their written statements on 05.08.2022. Thereafter, the petitioners moved an application under Order 6 Rule 17 of the CPC for amendment of the plaint on 24.03.2025. Defendant No.1 filed reply to the said application on 08.04.2025.

2.1 It has further been averred by the petitioners that since 11.04.2025, the matter is being adjourned by the trial Court by passing stereotype orders.

3. Learned counsel for the petitioners refers to interlocutory orders (Annexure P.5 Colly.) passed by the trial Court to submit that since 11.04.2025, when the reply to the application under Order 6 Rule 17 of the CPC was taken on record, the trial Court has adjourned the matter on as many as 14 dates. It is argued that the petitioners have always been ready to advance arguments on the said application, but the trial Court without hearing the same, has mentioned in the said orders that no arguments were advanced. It is further argued that now the matter is fixed for 27.07.2026 for arguments on the aforesaid application.

4. I have considered the submissions made by learned counsel for the petitioner.

5. There would be no necessity of issuing notice to the respondents, for, in view of the nature of the order that is proposed to be passed, no prejudice would be caused to them.

6. Concededly the suit was instituted on 18.07.2022. Thereafter, an application under Order 6 Rule 17 of the CPC was filed by the petitioners on 08.04.2025. Reply to the said application filed by the defendants was taken on record on 11.04.2025.

7. A perusal of the interlocutory orders (Annexure P.5 Colly.) passed by the trial Court, would show that since 11.04.2025, the trial Court has been adjourning the matter for arguments on the said application. It is, thus, apparent that more

than a year has gone by since the filing of the application under Order 6 Rule 17 of the CPC and/or its reply, but till date the said application has not been decided.

8. This Court is conscious of the fact that Courts are already burdened with a huge pendency of cases and it is not desirable to issue directions as regards time bound disposal of the same unless and until, the peculiar facts and circumstances of some particular case so require. Equally important is the fact that important rights of parties are involved in every litigation and Courts are duty bound to decide matters expeditiously failing which rights of parties are prejudiced.

9. Keeping in view the totality of the facts and circumstances of the case, the present revision petition is disposed of with a direction to the Court concerned, where Civil Suit bearing No. CS-299-2022 titled as 'Shivani & another Versus Raj Kumar & another', is pending, to make concerted efforts to decide the application under Order 6 Rule 17 of the CPC on 27.07.2026 i.e. the date already fixed before the trial Court or at best within one month thereafter.

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

(VIKRAM AGGARWAL)
JUDGE

20.05.2026
ds

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