

**IN THE COURT OF MS. MEENU KAUSHIK: DISTRICT
JUDGE – 03: NEW DELHI DISTRICT: PATIALA HOUSE
COURTS : NEW DELHI**

CS No. 329/2025

CNR No. DLND010045002025



Nitin Gupta Prop. The Law Chambers

Versus

Satnam Sandhu

10.08.2026

ORDER

1. By way of the present order, I shall dispose of the application moved on behalf of the defendant under Order XI Rule 2 of the Code of Civil Procedure, seeking discovery by way of interrogatories.

2. Arguments on the application have already been heard.

3. It is submitted by learned counsel for the defendant that the present suit has been instituted by the plaintiff through his attorney, seeking recovery of the alleged professional fees. It is contended that, by way of the present suit, the plaintiff is seeking recovery of a substantial sum of money from the defendant in respect of services admittedly rendered to different entities and individuals. It is, therefore, submitted that the plaintiff has chosen to implead only the defendant, without impleading the other concerned parties, and consequently, the present application seeking discovery by way of interrogatories has been filed.

4. The defendant has annexed a list containing thirteen interrogatories along with the application. Learned counsel for

the defendant submits that the defendant seeks to press interrogatories Nos. 1,3,5,7,8,9 and 10, whereas, in respect of the remaining interrogatories, the defendant may put the requisite questions to the plaintiff during his cross-examination.

5. It is submitted that the present application has been bona fide filed and that no prejudice of any nature would be caused to the plaintiff if the application is allowed.

6. Learned counsel for the defendant has placed reliance upon ***Canara Bank v. Rajeev Tyagi & Anr.***, 2010 SCC OnLine Del 87, wherein it was observed that, while considering an application seeking discovery by way of interrogatories, the relevant test is whether the interrogatories are relevant to the controversy and whether they would facilitate and expedite the proceedings. It was further observed that if such queries are reserved for cross-examination, the witness may not be in a position to answer the same immediately due to non-availability of the requisite material and this may result either in the cross-examination being deferred, thereby causing delay and additional costs, or in the witness furnishing evasive answers. On the other hand, interrogatories can be answered by the concerned party at its convenience, after perusing the records available at its office or residence and, where necessary, after making inquiries from persons having knowledge of the relevant facts. It was further observed that the answers to interrogatories may reduce the time required by the Court for recording cross-examination and may also assist in crystallizing the scope and nature of the cross-examination.

7. The application has been opposed by the plaintiff on the ground that the same has been filed with mala fide intent. It is submitted that, by way of the present application, the defendant is attempting to wriggle out of the admissions made by her with regard to payment of the outstanding dues to the plaintiff. It is, therefore, contended that the present application is frivolous and is liable to be dismissed.

8. Submissions made on behalf of both the parties are taken into consideration. Record perused.

9. In ***A.K. Agarwal v. Shunthi Devi***, 1996 Rajdhani Law Reporter 60, it was observed that the provisions relating to interrogatories ought to be liberally construed and that the parties should be encouraged to make use of the said procedure at the trial. It was observed that a party has a right to interrogate the opposite party. One of the principal objects of interrogatories is to save evidence, diminish the burden of proof and reduce the expenses of litigation. A party is entitled to administer interrogatories with a view to obtaining an admission from the adversary.

10. In ***Sharda Dhir v. Ashok Kumar Makhia***, 99 (2002) DLT 350, it was held that the object of interrogatories is to enable a party to know the nature of the case of his opponent beforehand, so as to enable him to meet the same at the hearing. It was further observed that, in a given case, the pleadings may not sufficiently disclose the nature of the case set up by a party and, in order to remedy such deficiency, the provision relating to interrogatories has been enacted. It was also observed that the Court ought not to

adopt a hyper-technical approach at the stage of considering the serving of interrogatories.

11. Considering the submissions advanced by learned counsel for the parties, the aforesaid observations made by the higher Courts, and also taking into consideration the fact that, by way of the present interrogatories, the defendant seeks to obtain relevant information from the plaintiff, which would facilitate and expedite the trial and also curtail the scope and duration of cross-examination, this Court deems it appropriate to allow the present application.

12. Accordingly, the application is allowed. The plaintiff is directed to answer interrogatories Nos. 1,3,5,7,8,9 and 10 by filing an affidavit in the prescribed format, as provided in Form No. 3 of Appendix C to the Code of Civil Procedure, within three weeks from today, after supplying an advance copy thereof to the defendant.

***(Announced in the open Court
on 10th August, 2026)***

**(Meenu Kaushik)
DJ-03, New Delhi District
Patiala House Courts
New Delhi**