

13.03.2026

File taken up on an application under Section 151 CPC for early hearing and application under Order VI Rule 17 R/w Section 151 CPC for amendment of plaint along with amended plaint filed by plaintiff.

Present: Sh. Kuldeep Gola, Ld. Counsel for plaintiff through VC.

IA No. 1/2026 dated 09.03.2026 (application under Section 151 CPC for early hearing).

IA No. 2/2026- dated 09.03.2026 (application under Order VI rule 17 CPC seeking amendment of the plaint).

By way of the present application, the plaintiff seeks to amend the valuation paragraph as well as prayer clause of the plaint. Ld. Counsel for plaintiff submits that due to inadvertent error, the suit was not valued in the plaint and the plaintiff now seeks to correct the same by amending the valuation paragraph and the corresponding prayer clause. He further submits that the proposed amendment is formal in nature and does not change the nature of the suit. Heard.

The present suit is at initial stage and summons have not been yet issued to the defendants. It is well settled that the amendment necessary for determining the real controversy between the parties should ordinarily be allowed provided they do not cause prejudice to the opposite parties.

The proposed amendments pertains only to the valuation of the suit and the corresponding prayer clause. The amendment neither changes the nature of the suit nor introduces a new cause of action. Since the matter is at the threshold stage and no prejudice would be caused to the defendants, the proposed amendments appears to the necessary for the proper adjudication of the dispute.

Accordingly, the aforesaid application under Order VI Rule 17 CPC stands disposed of as allowed. Amended plaint is taken on record. Court fees of Rs. 7224/- is taken on record.

Perusal of amended plaint shows that at para 4, it is pleaded that the plaintiff has poultry freezer unit/blast chiller plant for his chicken at the Shop No. A-50, Fish Market, Ghazipur, Delhi-110096 where electricity is supplied by defendant no. 1.

On being specified queried to the Ld. Counsel for plaintiff as to why the present matter does not fall within the ambit of Commercial Court to which he seeks some time to give clarifications on that aspect. Heard. Time is granted.

As per noting of Ahlmad, an application under Section 148A CPC has been e-filed on 21.12.2025. **It be checked and registered.**

Put up for clarifications on 19.03.2026.

(Gaurav)
District Judge-01/ SHD
KKD/Delhi/ 10.03.2026