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CS DJ ADJ 1089/25

Ajit Singh Vs. Rekha Devi

10.07.2026

Present: Sh. Jitender Tanwar, Ld Counsel for plaintiff along with plaintiff
Sh. Dev Dutt, Ld. Counsel for defendant.

Today the matter is fixed for arguments on application under Order VI Rule 17 CPC.

An application under Order VI Rule 17 CPC has been filed on the behalf of plaintiff for amendment of the plaint. Copy supplied. Reply already filed.

Arguments heard on application under Order VI Rule 17 CPC.

It is submitted by Counsel for plaintiff that the amendment in the plaint has become necessary as in the WS defendants have relied upon a 'false, fabricated and illegal GPA dated 17.11.1997' and it is imperative for the plaintiff to seek its declaration as null and void.

Per contra, counsel for defendant submits that the aforesaid GPA is registered and is genuine and plaintiff is unnecessarily disputing the credibility of the said GPA.

In the circumstances, this court is of the opinion that as the suit has been filed for partition which would necessitate determination of the title of the property hence, the GPA's validity also needs to be determined to pass a decree in the partition suit.

This court is of the considered opinion that the proposed amendment is necessary to decide the matter in controversy. The suit is at its initial stage and even the issues have not been framed hence, this court considers it fit to allow the application application under Order VI Rule 17 CPC. Accordingly, application is hereby allowed. Amended plaint is taken on record.

Counsel for defendant prays for some time to file fresh WS in response to the amended plaint. Let, the same be filed within four weeks with advance copy to opposite side.

List for further proceedings on **27.10.2026**.

(Abhitosh Pratap Singh Rathore)
DJ-05 (SW)/Dwarka Courts
New Delhi: 10.07.2026