

17 CS DJ ADJ 666/19 VIJAY JAIN Vs. NEERU SAXENA

16.08.2023

Present: Ms. Surbhi, Ld. Proxy counsel for plaintiff.
Sh. Arun Bali, Ld. Counsel for defendant alongwith defendant.

An application under Order VI Rule 17 CPC seeking amendment of WS filed on behalf of defendant is pending for disposal. Vide said amendment, defendant seeks to add two paras thereby averring that the suit is not maintainable being barred under Order VII Rule 11 CPC in view of Section 41 (h) SRA and in view of the law laid down in Suraj Lamp Industries vs State of Haryana.

Heard. Considered.

Since vide said amendment, defendant seeks to add only legal objections and since it is settled principle of law that pleadings are required to state only facts and not law, therefore the said amendment is not necessary for determining real controversy between parties. Hence, application is dismissed being devoid of any merit.

Be listed for PE on 01.11.2023.

(ANUJ AGRAWAL)
ADDL. DISTT. JUDGE-05
DWARKA COURTS, NEW DELHI/16.08.2023