

CS (COMM) No. 330/26
NEHA JAIN Vs. MOHD HAROON

09.04.2026

Present: Sh. Harshit Sharma, Counsel for the Plaintiff.

1. Matter is today fixed for consideration.
2. Hard copy of the plaint and documents alongwith an application U/o VI Rule 17 r/w Section 151 of CPC, Court Fee, list of documents with documents have been filed today.
3. As reported by the Reader, proper court fee and the Non-Starter report dated 05.01.2026 issued by DLSA, Central have been filed alongwith the plaint.
4. Heard. I have perused the record.

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5. By way of application U/o VI Rule 17 r/w Section 151 of CPC, plaintiff wants to amend the list of documents inter-alia on the ground that due to inadvertence, plaintiff has not mentioned the goods receipts in the originally filed list of documents although the same were relied upon in the plaint. It has been further averred that the plaintiff has mentioned the invoices as originals whereas in fact they are computer generated and therefore, the certificate U/s 63 of BSA has also been filed. It has been further averred that goods receipts were also mentioned as originals in the list of documents whereas the same are photocopies and the original are in possession of the defendant. It has been further submitted that no other original documents are available with the plaintiff nor original of the delivery challan/transit receipt have been received by the plaintiff.

Contd...2/-

6. It has been further averred that at the time of filing of the present suit, the plaintiff had deposited court fees of Rs.6,834/- whereas the total court fees payable for the suit was Rs.6,889/- leaving a deficiency of Rs.55/-. Therefore, the plaintiff has now deposited the deficient court fee of Rs.55/- and the receipt has been filed alongwith the application. It has been further averred that proposed amendments are only for the purpose of correction and accuracy and it is prayed that application may kindly be allowed.

7. Heard. I have perused the record.

8. The amendment sought are formal in nature. Suit is at initial stage. Summons have not been issued yet and therefore, no prejudice is going to be caused to non-applicant/defendant if the proposed amendments are allowed. Hence, in view of the submissions and in the facts and circumstances explained in the application, the application in hand is allowed in the interest of justice. Amended list of documents alongwith documents as per revised list and deficient court fee filed alongwith the application be taken on record. **The application is disposed off accordingly.**

9. Let the summons of the suit be issued for the settlement of issues to the defendant on filing of PF through concerned Ld. District Judge, Etah, U.P. as well as through Speed Post, Courier and approved electronic modes. Mobile No., if any, be mentioned upon the processes.

10. Steps be taken within three days. Ahlmad shall issue the summons within three days of receipt of process and if plaintiff fails to take the steps within three days, on deposit of a

cost of Rs.5,000/- with DLSA, Central District, process be issued if the step is taken at least seven days before the next date of hearing failing which the suit shall be dismissed for non-prosecution.

11. The defendant to file written statement alongwith statement of truth and affidavit of admission/denial of the documents attached with the plaint, as per law and not beyond 30 days from the date of service.

12. **As prayed, be put up for report of service/filing of written statement, if any/further proceedings on 20.04.2026.**

(Devendra Kumar Sharma)
District Judge (Commercial Court-03)
Central/ THC/ Delhi
09.04.2026