

04.07.2026

Present: Sh. Shikha Gupta, Ld. Counsel for Plaintiff.

**Application under Section 6 Rule 17 of CPC.**

There is an amendment application.

Plaintiff wishes to amend the para 9 of the plaint to bring down the valuation from Rs.45 lacs to Rs.460/-. Valuation is mentioned in para 10 of the plaint.

The suit is at nascent stage. The defendant is yet to be served with the summons.

Plaintiff, in view of the decision in *Subhashini Malik Vs. S.K. Gandhi*, 2016 233 DLT 83, can increase or decrease the valuation and only after the amendment is allowed, the court has to see whether it can still continue to hear the matter or the matter has gone beyond the pecuniary jurisdiction.

I need not go into the merits, whether the valuation is correct or not. The amendment has to be allowed at this stage. Allowed accordingly.

Once the amendment is allowed, this court ceases to have jurisdiction and the plaint has to be returned, to be presented before the court competent to hear the same i.e., Ld. SCJ. Ordered accordingly.

Application is disposed off.

Endorsement be made by the Ahlmad.

Plaint and court fees be returned. Copy be retained.

File be consigned to Record Room.

(HARJYOT SINGH BHALLA)  
DJ-03, SOUTH-WEST, DWARKA  
NEW DELHI/04.07.2026