

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**

127**CR-5182-2026****Date of decision: 10.07.2026****Swaranjit Singh and others**

. . . . Petitioners

Vs.**Baldev Singh and others**

. . . . Respondents

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr.M.S. Virk, Advocate, for the petitioner.

DEEPAK GUPTA, J.

The present revision petition is directed against the order dated 02.05.2026 (Annexure P-5) passed by the learned Civil Judge (Junior Division), Nabha, whereby the application moved by the plaintiff-petitioner under Order XI Rules 1 and 2 of the Code of Civil Procedure, 1908 in civil suit bearing CS-779-2025 titled '*Swaranjit Singh & Others vs Baldev Singh & Others*' seeking leave to administer interrogatories to defendants No.1 to 3 has been dismissed.

2. Learned counsel for the petitioners submits that the Trial Court has adopted an unduly restrictive approach while declining leave to administer interrogatories. It is argued that discovery by way of interrogatories is intended to narrow down the controversy between the parties, save judicial time and avoid unnecessary evidence. According to the petitioner, the proposed interrogatories were relevant to the controversy involved in the suit and, therefore, the Trial Court ought to have granted permission.

3. I have heard learned counsel for the petitioners and have perused the paper book.

4. Order XI CPC provides a mechanism for discovery so as to facilitate a fair and expeditious adjudication of civil disputes. However, the right to



administer interrogatories is not absolute. Under Rule 2 of Order XI CPC, leave is required to be obtained from the Court and such leave is to be granted only in respect of those interrogatories, which the Court considers necessary either for fairly disposing of the suit or for saving costs. Consequently, every question, which a party desires to put to the opposite party cannot be permitted merely because it is framed as an interrogatory.

5. The settled principle is that interrogatories are intended to obtain admissions regarding material facts directly in issue or relevant to the matters in controversy. They cannot be employed for conducting a roving or fishing enquiry, for collecting evidence, for cross-examining the opposite party in advance or for eliciting facts, which have no nexus with the determination of the substantive issues arising in the suit.

6. A perusal of the impugned order shows that the learned Trial Court examined the proposed interrogatories and found that the petitioner primarily intended to ascertain whether the written statement signed by defendant No.2 had been filed with the authority and knowledge of defendants No.1 and 3. The Trial Court has further noticed that the written statement had admittedly been presented through the common counsel representing defendants No.1 to 4 and has concluded that the proposed interrogatories neither advance the adjudication of the issues involved in the suit nor contribute towards saving costs.

7. This Court finds no perversity in the aforesaid reasoning. Whether a written statement has been signed by one defendant or by all the defendants, or whether it has been presented through a common counsel, is essentially a procedural aspect. Unless such fact has a direct bearing upon the rights asserted in the suit or upon the issues requiring adjudication, it cannot constitute a proper subject-matter for interrogatories under Order XI CPC.

8. Significantly, the petitioner has failed to demonstrate before this Court as to how answers to the proposed interrogatories would either establish any material fact in issue or materially assist the Court in adjudicating the controversy. Mere curiosity regarding the internal authorization amongst the



defendants cannot be equated with relevance within the meaning of Order XI Rule 2 CPC.

9. It also deserves notice that the grant or refusal of leave to administer interrogatories is essentially a matter of judicial discretion vested in the Trial Court. Unless such discretion is shown to have been exercised arbitrarily, capriciously or in disregard of settled legal principles, interference in exercise of supervisory jurisdiction under Article 227 of the Constitution is unwarranted. The supervisory jurisdiction is intended to keep subordinate courts within the bounds of their authority and not to substitute this Court's opinion merely because another view may also be possible.

10. The impugned order reflects due application of mind to the nature of the interrogatories and records cogent reasons for holding that they were not necessary for the fair disposal of the suit and appeared to be unrelated to the real controversy between the parties. Such findings neither suffer from jurisdictional error nor disclose any patent illegality warranting interference by this Court.

11. Consequently, finding no merit in the present revision petition, the same is dismissed. Pending miscellaneous application(s), if any, shall also stand disposed of.

10.07.2026

Vivek

**(DEEPAK GUPTA)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>