



2025:DHC:6048



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% ***Date of Decision: 23rd July, 2025***

+ CM(M) 1332/2025 & CM APPL. 43915-43916/2025

M/S. SHREE KARANGAR TEXTILES PRIVATE LIMITED

.....Petitioner

Through: Mr. Anshul Sharma and Mr.
Chaitanya Jain, Advocates

versus

SACHIN ARORA (PROPRIETOR OF FREEDOM COLOURS)

.....Respondent

Through: None

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner is defending a suit and while defending the suit, he has also set up a counter-claim.
2. Both the aforesaid matters i.e. suit and the counter-claim, at the moment, are at the stage of final arguments.
3. Petitioner moved an application under Order XI Rule 1(7) CPC praying therein that he may be permitted to place on record copy of his *own ledger* in relation to the transaction which they had with M/s Freedom Enterprise and M/s Freedom Colours and he also sought permission to place on record a copy of one *email* whereby intimation of *debit note* was given by them to the plaintiff.
4. Learned Trial Court has dismissed the aforesaid application on 15.04.2025.
5. Such order is under challenge.



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6. As already noticed above, case is at the stage of final arguments.
7. Learned counsel for petitioner submits that the need of placing on record the aforesaid document arose solely on account of the questions which were put to them during the cross-examination.
8. However, such fact, in itself, does not automatically give any handle to any such party to move application, seeking permission to place on record additional documents.
9. Here is the case where, the petitioner is not only defending a suit but has also set up a counter-claim and, therefore, it was expected that whatever documents are required for substantiating his defence in the suit and for proving his claim in the counter-claim are placed on record without any delay, more so, when the dispute in question is a commercial one.
10. Needless to emphasize, Commercial Courts Act, 2015 mandates expeditious disposal of such suit.
11. Since the matter has already travelled to the stage of final arguments and since there is no illegality or perversity in the impugned order, this Court does not find any requirement of interfering with the order, particularly, in view of the observations given by this Court in *Black Diamond Trackparts (P) Ltd. v. Black Diamond Motors (P) Ltd.*, (2022) 1 HCC (Del) 737 which read as under:-

“5. Before proceeding further, it may be noted that the power under Article 227 of the Constitution of India being one of judicial superintendence cannot be exercised to upset conclusions, howsoever erroneous they may be, unless there was something grossly wrong or unjust in the impugned order shocking the court’s conscience or the conclusions were so perverse that it becomes absolutely necessary in the interest of justice for the court to interfere. The powers under Article 227 will be used sparingly. The Supreme Court has observed in India Pipe Fitting Co. v. Fakhrudin M.A. Baker (1977) 4 SCC 587 and in Mohd. Yunus v. Mohd. Mustaqim (1983) 4 SCC 566 that the



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supervisory jurisdiction conferred to the High Courts under Article 227 of the Constitution of India is limited to overseeing that an inferior court or tribunal functions within the limits of its authority and is not meant to correct an error, even if apparent on the face of the record. A mere wrong decision without anything more is not enough to attract this jurisdiction. Even in the judgment relied upon by the learned senior counsel for the respondent/plaintiff mentioned above, the Division Bench of this court has again cautioned that Article 227 of the Constitution of India be used sparingly in such suits which under the CPC are revisable and which remedy has been taken away by the Commercial Courts Act, 2015, in order to preserve the legislative intent and give effect to the purpose behind the Commercial Courts Act, of expeditious disposal of commercial suits.”

12. The present petition stands dismissed accordingly.
13. Pending applications also stand disposed of in the aforesaid terms.

(MANOJ JAIN)
JUDGE

JULY 23, 2025/dr/shs