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

% ***Date of Decision: 29th April, 2025***

+ CM(M) 780/2025 & CM APPL. 25379/2025 & CM APPL.
25380/2025

MOHD. SALEEM

.....Petitioner

Through: Mr. Ambuj Tiwari, Advocate

versus

JASPREET PURI

.....Respondent

Through: Mr. Kamal Bansal and Ms. Monika
Verma, Advocates

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner is defending a suit which is commercial in nature.
2. After having filed written statement before the learned Commercial Court, defendant filed a separate *suit seeking specific performance of the contract and consequential relief* and he also lodged one *criminal complaint* with the concerned police authorities. He, accordingly, moved an application under Order VI Rule 17 CPC praying for incorporation of such subsequent events. His such request has been turned down by the learned Commercial Court *vide* order dated 01.04.2025 and this is how the present petition has been filed, challenging the aforesaid order.
3. Learned counsel for respondent/plaintiff appears on advance notice and submits that in order to ensure that there is no further delay in the matter and without prejudice to his rights and contentions, he would have no objection if



the aforesaid subsequent events are permitted to be taken on record, *albeit*, subject to imposition of cost.

4. The Court has gone through the application moved by defendant under Order VI Rule 17 CPC whereby he wanted to incorporate Para-29A to Para-29D.

5. After having gone through the entire matter and also keeping in mind the gracious concession given by learned counsel for respondent/plaintiff, the present petition is allowed with direction that aforesaid application moved under Order VI Rule 17 CPC be treated as allowed and the amended written statement be accordingly taken on record. In order to avoid any further possible delay, the petitioner is also permitted to place on the record of learned Trial Court, copy of the suit filed by him and copy of criminal complaint made to the concerned police authorities.

6. In view of the aforesaid, amendment being allowed, plaintiff would be also at liberty to file replication, if any, within four weeks from today with advance copy to opposite side.

7. Simultaneously, petitioner/defendant is burdened with cost of Rs. 25,000/- which shall be payable to the opposite side within four weeks from today.

8. Present petition stands disposed of in the aforesaid terms.

9. All the pending applications are also disposed of.

(MANOJ JAIN)
JUDGE

APRIL 29, 2025/dr/shs