



CR No. 6268 of 2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR-6268-2023 (O&M)
Decided on : 01.09.2025

Dilpreet Kaur & Anr.

.....Petitioners

Versus

Kuldip Singh & Anr.

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Gaurav Rana, Advocate, for the petitioner.

Mr. Amit Gupta, Advocate for respondent No.1.

DEEPAK GUPTA, J.

The present revision petition under Article 227 of the Constitution of India has been filed to assail the order dated 31.08.2023 (Annexure P-6) passed by the learned Additional District Judge, Ludhiana in Civil Suit No. 202 of 2019 titled *Kuldip Singh vs. M/s K.E. Enterprises etc.*, whereby the plaintiff's application under Order XI Rule 1 CPC seeking answers to interrogatories by petitioner No.1–defendant No.3 was allowed.

2. Learned counsel for the petitioners contends that the interrogatories sought by the plaintiff travel beyond the pleadings and are intended to improve his case. It is urged that the plaintiff must prove his claim through evidence, and the trial Court erred in permitting such interrogatories.

3. A perusal of the record reveals that the plaintiff, Kuldip Singh, proprietor of M/s K.S. Rubbers, filed the suit for recovery of ₹68,98,842/- comprising ₹52,26,396/- as principal and ₹16,72,446/- as interest. It was pleaded that the defendants, through their partnership firm M/s K.E. Enterprises, regularly purchased goods from the plaintiff under various bills/invoices, with defendant No.2 signing the bills. The account maintained in the ordinary course of business reflected an outstanding of

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₹42,26,396/- as on 05.02.2014, which was acknowledged by defendant No.3 by signing the statement of account. Additionally, the plaintiff alleged that ₹10,00,000/- had been advanced to defendants No.2 and 3, but despite repeated demands, the total liability of ₹52,26,396/- remained unpaid.

4. The defendants denied the claim, alleging that several bills, including Bill No. 43 dated 16.03.2012 and Bills No. 37, 38, 39, and 40, were forged and fabricated in connivance with their employee, without any delivery of goods.

5. The plaintiff thereafter filed an application (Annexure P-3) seeking interrogatories (Annexure P-4) to be answered by defendant No.3 on oath. The interrogatories primarily referred to the bills and the statement of account allegedly signed by defendant No.3. On examination, it is evident that they are neither vague, scandalous, nor vexatious.

6. The trial Court, while allowing the application, noted that the suit was instituted on 23.12.2016. The defendants appeared through counsel on 18.02.2017. The application under Order XI Rule 1 CPC was filed on 23.03.2018 and replied to on 13.08.2018. Thereafter, the defendants stopped appearing and were proceeded ex parte on 21.08.2019. The plaintiff led ex parte evidence, and the matter reached the stage of arguments when an application to set aside the ex parte proceedings was filed.

7. Considering these circumstances, the trial Court observed that allowing the interrogatories would help narrow down the controversy and facilitate effective adjudication. Interrogatories should be allowed, when they help in determining the real matters in controversy and prevent unnecessary evidence. Interrogatories being a recognized tool of discovery, intended to elicit material facts, shorten litigation, and assist in a fair trial; therefore, no illegality can be found in the impugned order.



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8. In view of the above, the revision petition is held to be devoid of merit and is accordingly dismissed.

(DEEPAK GUPTA)
JUDGE

01.09.2025

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No