

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CR No.1136 of 2015

Date of Decision:-19.02.2015

Ravinder Singh.

.....Petitioner.

Versus

Jagir Singh & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Parvinder Singh, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

Plaintiff is in revision aggrieved by the order dated 20.11.2014 (P-5) passed by the learned Civil Judge(Jr. Divn.), Kharar whereby his application under Order 6 Rule 17 CPC for amendment of the plaint to included “owners in joint possession” has been dismissed.

It is apparent that the plaintiff-son is seeking declaration against his father and brothers that the suit property is coparcenary property and thus seeking his share while also challenging the sale deed executed by his father defendant no.1 qua five Kanals only in favour of defendant o.5. Defendant no.5 has denied the property being coparcenary while asserting that the same is self acquired property. It is further asserted that the sale deed has been executed for construction of a house as also for maintenance of the wife and children of the plaintiff, who has failed to maintain them. It is further apparent that prior to the present application moved at the stage of

rebuttal and final arguments, the petitioner was permitted to amend his
plaint on earlier occasions.

After arguing for sometime, having failed to convince the Court
learned Counsel for the petitioner seeks permission of the Court to withdraw
the present revision petition.

Dismissed as withdrawn.

**(JASWANT SINGH)
JUDGE**

February 19, 2015
Vinay