*IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH.*

C.R. No. 1513 of 2015
Date of decision:- 3.3.3015

Satnam Singh

Petitioner

vs.

Hargobind Singh and ors

Respondent

Present: Mr. Gurmeet Singh Saini, Advocate.

**M.M.S.BEDI,J.**

Vide impugned order dated 4.2.2015, the application of the plaintiff- respondents under Order 6 Rule 17 CPC has been allowed, permitting the plaintiffs to incorporate the prayer in their suit for a declaration and injunction that they are in joint possession of the suit land, whereas in the original plaint the claim had been that they were in possession of the land as co-sharers, having purchased the same.

Learned counsel for the petitioner submits that two witnesses have been examined in-chief when the application was filed, as such, the amendment has been allowed after the commencement of the proceedings.

I have heard counsel for the petitioner and carefully gone through the facts and circumstances of the case. The suit of the plaintiff-respondents, as per the plaint, is that they had purchased 113/340 share of 167 kanals, mentioned in the heading of the plaint besides that they were put in possession of land measuring 8 kanals after execution of the sale deed. They had sought declaration and injunction regarding the said land on the basis of their title. The amendment sought for has neither changed the nature of the suit nor it will cause prejudice to the petitioner, in any manner. It appears to be formal in nature to cover an inadvertent factual and legal error.

No ground is made out for interfering in the impugned order passed by the trial court.

Dismissed.

March 3 , 2015 **( M.M.S.BEDI )**
TSM JUDGE

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