

**251-II IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CR No. 1801 of 2014(O&M)
Date of Decision: December 04, 2015**

Jaswinder Kaur

...Petitioner

vs.

Sukhdev Singh & another

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Satinder Khanna, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, Advocate
for the respondents.

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Impugned order dated 20.01.2014 (annexure P-1) passed by learned Civil Judge(Jr. Divn.), Ludhiana vide which application of the defendant-petitioner filed under Order 6 Rule 17 read with Section 151 CPC for the amendment of the written statement was dismissed. It comes out that plaintiff had filed the suit for permanent injunction restraining the defendants from dispossessing him except in due course of law on the ground that he is in possession of the suit land.

Defendant had stated in his written statement that during

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the course of his evidence, the plaintiff moved an application for the amendment of the plaint to the effect that the lease property has been leased out to him by Punjab Wakf Board and lease order in favour of defendants stands cancelled. Notice of the cancellation was also not served to the petitioner. When the petitioner came to know about the cancellation of the lease deed on 18.07.2013 an application was filed for the amendment of written statement.

After hearing learned counsel for the parties I am of the considered view that the order of Wakf Board cancelling the lease constitutes separate cause of action. In the present case the only issue is as to whether the plaintiff is in possession of suit land or not. The trial of the case has reached at its fag end. Both the parties have led their evidence and the case is fixed for arguments. Thus I do not find any illegality in the order, passed by the Court below.

Accordingly, revision is dismissed.

December 04, 2015
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(KULDIP SINGH)
JUDGE