

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Civil Revision No.1996 of 2014

Date of decision: 17.03.2015

Lakha Singh

... Petitioner

versus

Bahadaur Singhand others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr.S.S. Panag, Advocate,
for the petitioner.

Mr. NPS Mann, Advocate,
for respondents 1 to 4.

K.Kannan, J. (Oral)

1. The petitioner is the plaintiff who is aggrieved that the defendant has applied for amendment to the written statement belatedly taking up an inconsistent plea. In the suit for injunction, the contention of the defendant was that the property belonged to the government and that he is in possession. Through the amendment, he wants to contend that the property belongs to his grandfather. This contention, according to him, is at variance with the plea already made and the attempt, according to the plaintiff, is that a simple suit of injunction is now sought to be converted for adjudication regarding title.

2. If the source of title is taken as different from what was originally pleaded, I will still not think it will have any bearing to the issue of possession and the relief of injunction which is sought for. No prejudice could be caused to the plaintiff to complain especially when this court has ordered notice in the application and it is posted only for consideration of whether such amendment could have been made or not. Since there is no prejudice that the impugned order could make, I decline to make any intervention. The revision petition is dismissed.

(K.KANNAN)
JUDGE

17.03.2015
sanjeev