

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

CR 2290 of 2015

Date of decision:- 1.4.2015

Iqbal Khan

Petitioner

vs.

Bhupinder Singh Dewan through his L.Rs & others

Respondent

Present: Ms. Savita Rana, Advocate.

M.M.S.BEDI,J.

Vide impugned order dated 6.1.2015 the lower court has permitted the plaintiff- respondents to amend the plaint by allowing application under Order 6 Rule 17 CPC, permitting them to rectify the mathematical error pertaining to the share, which had been wrongly calculated on the ground that as per the agreement of sale no specific area of the land has been mentioned in the agreement of sale while Nazir Ahmed agreed to sell 1/12th share. The nature of the suit has not been changed.

Without prejudice to the right of the defendant- petitioner to rebut the averments incorporated by the amendment of the plaint, I do not find any ground to interfere in the order passed by the lower court allowing amendment as the amendment has not changed the nature of the suit and the amendment allowed would permit the lower court to determine the real question of controversy, arisen between the parties.

Dismissed.

April 1 , 2015
TSM

(M.M.S.BEDI)
JUDGE