

CR-3586-2015 (O&M)

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

CR-3586-2015 (O&M).

Decided on: May 25, 2015.

Dharamvir Singh

..... Petitioner(s)

Versus

Dushyant Kumar and others

..... Respondent(s)

*** * ***

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.Parminder Singh, Advocate,
for the petitioner.**

M.M.S. BEDI, J (ORAL).

This is defendant's revision petition against the order dated 12.3.2015 permitting the plaintiffs-respondents to amend the plaint in order to enable the plaintiffs-respondents to incorporate common and explanatory pleadings not amounting to changing the nature of the proceedings. Plaintiffs- respondents have filed a suit for restraining the defendant-petitioner from interfering in the possession of property described with khasra numbers and boundaries in the heading of the plaint. The defendant-petitioner had raised the plea in the written statement that the plaintiffs-respondents seek to grab the property of the petitioner by giving dimensions of his property which is possessed by the petitioner. The defendant-petitioner claim that he has become owner of khasra number 264 on the basis of a civil Court decree, as such, his rights cannot be prejudiced by the plaintiffs-respondents. Vide impugned order, the trial Court has

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permitted the plaintiffs-respondents to incorporate khasra numbers at a stage where issues have not yet been framed.

Taking into consideration the fact that the amendment has been allowed prior to the commencement of the suit the defendant- petitioner will have sufficient opportunity to contest the claim on merits and the amendment would facilitate fair and final adjudication of the inter se claim of the parties pertaining to the property, no ground is made out for interference in the impugned order.

The petition is disposed of without prejudice to the legal rights of the petitioner.

May 25, 2015.
rka

(M.M.S. BEDI)
JUDGE