

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

Date of decision:22.01.2015

Kalyan Singh and another

.....Petitioners

v.

The Improvement Trust and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Vikram Singh,Advocate for the petitioners.

Jaswant Singh,J.(Oral)

Plaintiffs are in revision aggrieved by the order dated 16.1.2015 (P-4) passed by learned Additional Civil Judge (Senior Division)Karnal whereby their application under Order 6 Rule 17 CPC for amendment of the plaint has been dismissed.

Having heard learned counsel for the petitioners at length, this Court finds no merit in the revision petition.

It is apparent from the paper book that petitioners/plaintiffs had filed a suit for permanent injunction in the year 1993 seeking to restrain the defendant/Improvement Trust,Karnal from dispossessing the plaintiffs from the suit land. After a protracted trial the case had reached the stage of final arguments when an application for amendment of the plaint to include the relief of declaration and mandatory injunction that they are entitled for allotment of a shop in

the category of “local displaced persons” under the Improvement Trust Land Disposal Rules, 1976 was filed.

Learned trial Court has rightly dismissed the said application by noticing that proposed amendment would change the entire nature of the suit and at that belated stage the same could not be allowed. This Court is in total agreement with the reasoning adopted by the learned trial Court and hence no case for interference is made out by invoking the revisional jurisdiction of this Court.

Dismissed.

22.01.2015
joshi

(Jaswant Singh)
Judge