

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

CR No.5545 of 2013 (O&M)
Date of decision: 04.12.2015

Gran Panchayat Village Bhondsi ... Petitioner
versus
Daya Nand Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. M.K. Garg, Advocate for the petitioner.
Mr. Rajesh Garg, Advocate for the respondent.

K.Kannan, J.

The revision petition is against the dismissal of the application for amendment of the written statement. The amendment was sought after the plaintiff's side was closed and after availing 3 occasions for letting in evidence.

The amendment was sought to be justified on the ground that there had been a reference to Resolution No. 209 instead of Resolution No. 229. The plaintiff contested this amendment by saying that it was a fabricated Resolution brought for the purpose of the case and ought not to be permitted.

To contest the correctness of the so-called bonafide mistake, I asked the counsel whether there was any agenda circulated for the subject which was referred to in Resolution No.229. The petitioner admittedly does not have such an agenda for the subject that was alleged to have been put to discussion on that day. I do not think the amended plea could be permitted to be brought.

The civil revision petition is dismissed but it will be open for the defendant to prove whatever he has stated in the written statement in accordance with law.

(K.KANNAN)
JUDGE

04.12.2015
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