

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

CR No.6556 of 2015 (O&M)

Date of decision: 05.10.2015

Jaswant Singh Gill

....Petitioner

Versus

Parminder Kaur Gill and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Karambir Singh Chawla, Advocate
for the petitioner.

RITU BAHRI J. (Oral)

The present revision petition has been filed against the order dated 21.07.2015 (Annexure P-8) whereby the application under Order 6 Rule 17 CPC for amendment of the plaint read with Section 1 Rule 10 for impleading Amarjit Singh and Kamaljit Kuar as defendants, has been dismissed.

A reference has been made to “*Nirmal Singh and others vs. Tarsem Singh*”, 2014 (4) PLR 275, whereby it has been held by this Court that two applications cannot be clubbed together in one application and separate application has to be filed for each separate relief claimed. Further, by making the above-said observations on merits, both the application for amendment has been dismissed.

Both the applications has since been dismissed. By way

of the amendment, the plaintiff wanted to state the fact which took place on 01.07.2014 and also make a prayer clause of the main suit.

The defendants in the present suit have been proceeded *ex parte* vide order Annexure P-2 dated 28.09.2011 and Annexure P-6 dated 24.03.2015.

Parminder Kaur-defendant No.1 during the pendency of the present suit has sold the premises to defendants No.3 and 4- Amarjit Singh and Kamaljit Kaur. Hence, they were necessary parties in the present suit. So, the present revision petition is allowed and the order dated 21.07.2015 (Annexure P-8) under Order 6 Rule 17 CPC for amendment of the plaint read with Section 1 Rule 10 for impleading Amarjit Singh and Kamaljit Kaur as defendants are hereby set-aside with liberty to the petitioner to file two separate applications.

The trial Court will not be bound by the observations made in the impugned order and by this Court.

(RITU BAHRI)
JUDGE

05.10.2015
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