

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 6660 of 2015 (O/M)
Date of decision : 4.12.2015

Harcharan Singh

..... Revisionist

Versus

State Bank of Bikaner and Jaipur and others Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Yogesh, Advocate, for,
Mr. Peeush Gagneja, Advocate, for the revisionist.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

Vide impugned order dated 9.9.2015 (Annexure-P-5), the learned Civil Judge (Junior Division), Abohar, had allowed the application of defendants No. 1 and 2, namely State Bank of Bikaner and Jaipur, Branch Abohar, through its Senior Manager and Assistant General Manager, State Bank of Bikaner and Jaipur, Regional Office, Sector-17, Chandigarh, filed under Order 6 Rule 17 of Code of Civil Procedure, 1908 (in short 'CPC'), in which plea was raised that in the written statement, they have mentioned the plaintiff as a guarantor, whereas his brother Baljeet Singh (defendant No. 6)

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is a guarantor in the present case and that the plaintiffs had jointly filed an affidavit in favour of defendant bank to the effect that if Baljeet Singh (defendant No. 6) has furnished his share in the property in favour of the bank as a guarantor, they they have no objection in this regard.

I have heard the learned counsel for the revisionist and have also carefully gone through the file.

It comes out that the case is at pleading stage. The plea sought to be raised will not change the nature of the case. The law relating to the amendment in the written statement before the commencement of trial is very liberal. Therefore, there is nothing illegal in the impugned order, allowing the amendment in the written statement by the bank.

Accordingly, the present revision is dismissed.

(KULDIP SINGH)
JUDGE

4.12.2015
sjks