

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 8160 of 2015 (O/M)
Date of decision : 3.12.2015

Gurmeet Singh

..... Revisionist

Versus

Prem Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. R.S. Manhas, 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)

Impugned in the present revision is the order dated 16.9.2015 (Annexure-P-5), passed by the learned Civil Judge (Junior Division), Dera Bassi, vide which the application filed by defendant No. 1 under Order 6 Rule 17 of Code of Civil Procedure, 1908 (in short 'CPC') for amendment of the written statement, was dismissed.

The present revisionist-defendant No. 1 had filed an application for amendment of the written statement at the stage of evidence of the plaintiffs. The application for amendment was

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dismissed on the ground that defendant No. 1 has admitted that the sale deeds were executed, but now he wants to withdraw the said admission.

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

The learned counsel for the revisionist contends that the sale deeds executed in favour of defendants No. 2 to 7 have been challenged and that the previous counsel wrongly made certain admissions. Infact, defendant No. 1 did not play any fraud in the execution of the sale deeds.

I am of the view that the trial in this case has started. Defendant No. 1, against whom no relief is claimed, seeks to withdraw certain admissions made in the written statement. A valuable right has been accrued to the plaintiffs. Moreover, none of the sale deeds are in favour defendant No. 1. Therefore, there is no illegality or infirmity in the impugned order, disallowing the amendment of the written statement.

Accordingly, the present revision is dismissed.

(KULDIP SINGH)
JUDGE

3.12.2015
sjks