

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

Civil Revision No.8269 of 2015

Date of decision: 07.12.2015

Ranjit Singh and others

.....Petitioners

Versus

Gurnam Kaur and others

.....Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Vineet Chaudhary, Advocate,
for the petitioners.

Ritu Bahri, J.

Challenge in this petition is to the order dated 18.11.2015 (Annexure P-6) passed by the Civil Judge (Junior Division), Ambala, whereby application filed by plaintiffs-respondent Nos.1 and 2 under Order 6 Rule 17 CPC for amendment of the plaint, has been allowed.

As per plaintiffs-respondent Nos.1 and 2, due to inadvertence, the could not give details of one of the properties owned by Purni Devi at the time of filing of the suit. Therefore, they sought amendment in the plaint, as the same was very much necessary for proper adjudication of the matter. The application was opposed by defendants-petitioners on the ground that the amendment had been sought at a belated stage.

The trial Court, vide impugned order, has rightly allowed the application for amendment on the ground that the plot/property, initially owned by Purni Devi, is subject matter of dispute between the parties.

Moreover, after allowing the amendment of plaint, defendants-petitioners

have also been given an opportunity to file amended written statement.

After going through the impugned order, no ground is made out to interfere therein. However, a direction is given that in case plaintiffs-respondent Nos.1 and 2 lead evidence after amendment of the plaint, the defendants-petitioners shall have a right to rebut the same.

Disposed of accordingly.

07.12.2015
ajp

(RITU BAHRI)
JUDGE