

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

CR No.8235 of 2014

Decided on: March 02, 2015.

Surinder Kaur Dhaliwal

.... Petitioner

Versus

Mahinder Kaur Hira and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. R.K. Samyal, Advocate,
for the petitioner.

M.M.S. BEDI, J (ORAL)

Petitioner is aggrieved by an order dismissing the application for amendment under Order 6 Rule 17 read with Section 151 CPC vide order dated 09.10.2014.

During course of arguments, learned counsel for the petitioner submits that the suit of the plaintiff-petitioner has been dismissed and first appeal is pending before the District Court.

Learned counsel for the petitioner has contended that the impugned order has caused prejudice to the petitioner as such he has got a right to challenge the same by filing revision petition as this order is not appealable.

I have heard learned counsel for the petitioner in context to the provision of Order 43 Rule 1-A CPC which gives a right to file an appeal to challenge the non-appealable orders under Order 43 in appeal against decree.

In view of the plaintiff-petitioner having a statutory right under Order 43 Rule 1-A CPC to challenge the impugned order, I do not deem it appropriate to exercise powers under Article 227 of the Constitution of India.

Dismissed.

**(M.M.S. BEDI)
JUDGE**

March 02, 2015
harsha