

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CR No. 8565 of 2015

Date of Decision : 17.12.2015

Jitender Singh

.....Petitioner

Versus

Phool Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Balkar Singh, Advocate
for the petitioner.

Surinder Gupta, J. (Oral)

Heard.

The application filed by Ombir Singh defendant-respondent no. 5 seeking amendment of the written statement to implead the fact that vide lease deed No. 688 dated 08.08.2000 executed by Phool Singh, plaintiff and defendant no. 6 were given 13 *kanals* of land instead of 14 *kanals* as his share (of Phool Singh) mentioned in another judgment and decree. The application was allowed by learned Civil Judge (Junior Division), Yamuna Nagar at Jagadhri. It was observed that case is still at the initial stage and only pleadings of the parties have been completed. Even issues have not been framed so far.

Learned counsel for the petitioner argues that allowing of this application would cause prejudice to the case of revision-petitioner as in the judgment in favour of plaintiff and respondent no. 1 the land given by Phool Singh is mentioned as 14 *kanals*.

The above argument of learned counsel for the petitioner has no merits at this stage. The amendment sought is based on document i.e. lease deed. What is evidentiary value of

this lease deed is to be seen by the Court at the time of final disposal of the case, which is still at the initial stage. Allowing of amendment in no manner will prejudice the case of revision-petitioner.

This revision has no merits and the same is dismissed.

December 17, 2015
jk

(SURINDER GUPTA)
JUDGE