

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 8848 of 2015 (O/M)
Date of decision : 24.12.2015

Smt. Urmil Bhasin Revisionist
Versus
Ved Parkash Gauba Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Gurmohan Singh Bedi, 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 3.12.2015 (Annexure-P-6), passed by the learned Civil Judge (Junior Division), Gurgaon, vide which the application filed by the defendant (present revisionist) under Order 6 Rule 17 read with Section 151 of Code of Civil Procedure, 1908 ('CPC') for amendment of the written statement, was dismissed.

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

It comes out that the evidence of the revisionist/defendant was closed by court orders. As per case of the revisionist/defendant herself, she moved this Court and was granted one more opportunity to lead the evidence. It was thereafter that the

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present application was moved to add paras No.-9A to 9F, as mentioned in the application.

It comes out that the application for amendment of the written statement was filed after the trial had commenced. Even the evidence of the defendant/revisionist was closed by court orders and thereafter one opportunity was granted by this Court to conclude her evidence. Now, by way of amendment of the written statement, which according to the learned counsel for the revisionist/defendant, is explanatory, the revisionist/defendant wants to re-open the case. Certain facts are sought to be pleaded allegedly by way of explanation, which would mean that the revisionist/defendant will have to be given more opportunities to lead the evidence. In this way, the sole motive of the amendment is to get more opportunities to lead evidence, so as to by-pass the order of this Court, granting only one opportunity to conclude the evidence. The facts, as alleged in the application, were within the knowledge of the revisionist/defendant. Blaming the previous counsel is no ground to grant more opportunities to the present revisionist for leading evidence. Hence, the present revision is dismissed.

(KULDIP SINGH)
JUDGE

24.12.2015
sjks