

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

-.-

CR 1308 of 2015

Date of decision: 27.08.2016

Gurdev Kaur

..... *Petitioner*

Versus

Gurcharanjit Kaur and another

.....*Respondents*

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Mohd Yousaf, Advocate
 for the petitioner

Mr. Viren Jain, Advocate
for respondent No. 1

-.-

Rekha Mittal, J. (Oral)

The present petition has been directed against order dated 07.01.2015 (Annexure P6) passed by the Civil Judge (Junior Division) Ludhiana whereby the application filed by the petitioner under Order 6 Rule 17 of the Code of Civil Procedure (in short, 'CPC') for amendment of the application filed under Order 9 Rule 13 CPC, has been dismissed.

Counsel for the parties are *ad idem* that the instant petition may be disposed of and it should be left open to be decided by the trial Court if allegations raised by the petitioner in the rejoinder, now sought to be incorporated in the application under Order 9 Rule 13 CPC by way of amendment and evidence already adduced in regard thereto, can be looked into for deciding the application qua setting aside ex parte judgment and decree without being influenced by the impugned order.

Disposed of accordingly.

(Rekha Mittal)
Judge

27.08.2016
mohan bimbura

Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No