

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**

**CR No. 2431 of 2016**  
**Date of decision : May 13, 2016**

**Mittar Sain**

**..... Petitioner**

**Versus**

**Smt. Meenu and others**

**..... Respondents**

**CORAM: HON'BLE MR. JUSTICE AMIT RAWAL**

Present:- Mr. Sachin Mittal, Advocate  
for the petitioner.

Mr. Amit Jain, Advocate  
for the caveators-respondents.

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1. Whether reporters of local papers may be allowed to see the judgment ?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

**Amit Rawal, J (oral).**

The petitioner is aggrieved of the dismissal of application seeking amendment in the written statement to be incorporated as additional plea.

Learned counsel for the petitioner submits that the suit is at the stage of rebuttal arguments but yet the amendment sought is essential and necessary as in the absence of pleadings neither the arguments can be addressed nor evidence can be lead. The amendment sought goes to the root and is germane to the nature of the suit, thus beseeches leave of this Court for allowing the

application. He submits that the other party can be compensated in terms of costs.

I have heard learned counsel for the petitioner and appraised the paper book and of the view that the arguments sought to be raised in the written statement can be raised even at the time of final arguments. The amendment is not required. This view has also been expressed by the court below. Even otherwise, no explanation has come forth in not bringing the amendment prior at the stage when the suit was at the initial stage.

I do not find any illegality and perversity in the impugned order and the same cannot be said to have been passed without jurisdiction.

The revision petition is devoid of merits. Accordingly the same is dismissed.

**(AMIT RAWAL)**  
**JUDGE**

**May 13 , 2016**  
**archana**