

In the High Court of Punjab and Haryana at Chandigarh

PARAMJIT KAUR SAINI
2016.04.26 14:30
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Civil Revision No.2640 of 2016
Date of Decision: 25.4.2016

Rajinder Kaur alias Preet Kaur

---Petitioner

versus

Jaswinder Kaur and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Maninder Arora, Advocate
for the petitioner

1. Whether Reporters of local papers 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?

Rekha Mittal, J.

The present petition lays challenge to order dated 15.3.2016 (Annexure P-4) passed by the Civil Judge (Junior Division), Fatehgarh Sahib dismissing application of the petitioner under Order 6 Rule 17 of the Code of Civil Procedure (in short "CPC") for amendment of the written statement.

Counsel for the petitioner has submitted that during pendency of the suit, there was re-demarcation of the wards and as a result thereof, the suit property now falls in Cheema Colony, Ward No. 9, Bassi Pathana, District Fatehgarh Sahib and the petitioner wanted to make amendment in the written statement to that effect only which has been wrongly disallowed by the trial court.

I have heard counsel for the petitioner, perused the records

particularly the application for amendment of the written statement and the order impugned.

Concededly, there is no dispute between the parties in regard to identification of the property in question which is stated to be a house situated in Mohalla Gilzian, Ward No. 8, Bassi Pathana, District Fatehgarh Sahib. Any re-demarcation of the wards resulting in the suit property having fallen in Cheema Colony, Ward No. 9, Bassi Pathana, District Fatehgarh Sahib during pendency of the suit is not material and relevant either for just decision of the case or adjudication of the matter completely and effectively, as has been held by the learned trial court. In this view of the matter, I do not find any error much less illegality in the impugned order warranting intervention.

Dismissed.

(Rekha Mittal)
Judge

25.4.2016
PARAMJIT