

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 5393 of 2015

Date of Decision: 01.04.2016

Bhalle Ram and Others

... Petitioner(s)

Versus

Maha Singh and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

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| 1. | Whether reporters of local newspapers may be allowed to see judgment? | Yes |
| 2 | To be referred to reporters or not? | |
| 3 | Whether the judgment should be reported in the Digest? | Yes |

Present: Dr. Naresh Kaushik, Advocate
for the petitioner(s).

Mr. S.S.Dinarpur, Advocate
for the respondent(s).

Shekher Dhawan, J.

Present petition is challenge to the order dated 11.8.2015, passed by learned Civil Judge (Senior Division), Sonapat, whereby application filed by the petitioner/plaintiffs under Order 6 Rule 17 CPC read with Section 151 PC for amendment of plaint , was dismissed.

Learned counsel for the petitioners submitted that the Court below has completely ignored the fact that the proposed amendment is most relevant for the just decision of the case and the

same should have been allowed. But the same was dismissed. He prayed that the impugned order be set aside and present petition be accepted.

Having considered the submissions made by learned counsel for the petitioners, this Court is of the considered view that the proposed amendment was sought at the fag end of the trial and both the parties have already led their evidence. More so, the petitioners, by way of present amendment, seeks liberty to amend the nature of trial altogether and if the proposed amendment is allowed that shall result into *de novo* trial, which is not permissible as per law. Thus, the Court below has rightly dismissed the application.

In view of above, present petition is without any merit and the same stands dismissed.

(Shekher Dhawan)
Judge

April 1, 2016

"DK"