

In the High Court of Punjab and Haryana at Chandigarh

Civil Revision No.5606 of 2016

Date of Decision: 31.8.2016

Smt. Sumitra

---Petitioner

versus

State of Haryana and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Sumit Sangwan, Advocate
for the petitioner**

Rekha Mittal, J.

The present petition has been directed against order dated 6.8.2016 (Annexure P-1) passed by the Civil Judge (Senior Division), Charkhi Dadri, whereby application filed by the petitioner for amendment of the plaint by invoking Order 6 Rule 17 of the Code of Civil Procedure (in short "CPC") has been dismissed.

Counsel for the petitioner has submitted that in para 7 of the plaint, a plea was raised by the petitioner that Smt. Rekha and Smt. Shanti,

defendant Nos. 5 and 6 respectively did not participate in interview before the selection committee for the post of Anganwadi worker for village Nandha Ki Dhani. It is argued that in case the petitioner is not permitted to make necessary amendment in para 7 of the plaint, the same may cause serious prejudice to her rights at the time of disposal of the suit on merits.

I have heard counsel for the petitioner, perused the paper book particularly the order impugned.

The trial court in view of discussion in para 5 of the impugned order has eventually dismissed the application for amendment. However, in the concluding lines of para 5, the Court has noticed, quoted hereinbelow:-

“.....Even otherwise also, in para No. 10 of the plaint, it has been pleaded that since defendants No. 5 and 6 did not belong to village Nandha Ki Dhani, so they were not entitled to take part in the interview held on 6.10.2010. Thus, this itself shows that as per the plaintiff's version, defendants No. 5 and 6 took part in the interview pertaining to which the amendment in question has been sought.”

In view of observations extracted hereinbefore, there is no

question of the petitioner suffering any prejudice much less irreparable loss in case the application for amendment is not allowed. With the aforesaid observations, the petition is disposed of.

(Rekha Mittal)
Judge

31.8.2016

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No