

111

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Revision No.7069 of 2016 (O&M)
Date of Decision: 22.10.2016

KARANJIT SINGH & ANR

.....Petitioners

Vs

JAGMOHAN SINGH

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Rishu Mahajan, Advocate
for the petitioners.

RAJ MOHAN SINGH, J (Oral)

[1]. Challenge made in this revision petition is to the order dated 09.08.2016 passed by the Additional Civil Judge (Sr. Divn), Amritsar vide which application filed under Order 6 Rule 17 by the plaintiff for amendment of the plaint was allowed.

[2]. The proposed amendment was allowed on the premise that due to inadvertent error on the part of the learned counsel for the plaintiff exact description of revenue record with reference to *khewat* and *khatauni* of the land in question could not be depicted in the plaint, whereas *khasra* numbers remained the same without there being any change.

[3]. The amendment was claimed to be clarificatory in

nature as the basic structure of the plaint was not to be changed. No issue was required to be framed, nor any evidence was required to be led. *Jamabandi* for the relevant year was already on the record and, therefore, defendants were not taken by surprise.

[4]. The proposed amendment would not in any manner prejudice the case of the defendants, as no inconsistent plea was sought to be incorporated by way of amendment. It is a settled principle of law that all *bona fide* amendments are to be allowed and their effect can be seen at the time of trial.

[5]. In view of above, in considered opinion of this Court, no fault can be attributed to the trial Court while allowing prayer for amendment of the plaint. This revision petition is accordingly dismissed.

October 22, 2016

Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes / No

Whether reportable

Yes / No