

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

Civil Revision No.91 of 2016 (O&M)

Date of Decision:- 11.01.2016

Hira Singh

.....Petitioner

Versus

Gurbhej Singh (since deceased) through LRs and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

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?

Present:- Dr. Naresh Kaushik, Advocate, for the petitioner.

SHEKHER DHAWAN, J

Present petition under Article 227 of the Constitution of India for setting aside the order dated 02.12.2015 (Annexure P-5), passed by Civil Judge (Jr. Divn.) Jalandhar, whereby application under Order 6 Rule 17 CPC for amendment of written statement was dismissed.

2. Learned counsel for the petitioner submitted that during the pendency and after filing of the written statement another civil suit titled “Mohan Inder Pal Singh Vs. Rajwinder Singh and others” has been decided/decreed by the Court of Civil Judge (Jr. Divn.) Jalandhar on 06.08.2015 and petitioner wanted to incorporate that fact by way of amended written statement. However, the said plea was declined by the

Court below, vide impugned order and the said order be set aside.

3. Having considered the submissions made by learned counsel for petitioner and taking into consideration the fact that learned counsel for the petitioner fairly conceded that he has already tendered the copy of judgment and decreed passed by the Court in the main civil suit pending before the Court. The only purpose of allowing the amendment was that the concerned Court should take note of judgment and decree, having been passed in another civil suit, after filing of written statement in the case and that has already been done. Learned trial Judge has rightly declined the application for amendment of written statement on that ground.

4. Keeping in view the above mentioned factual position, there is absolutely no reason for amendment in the order dated 02.12.2015, which has been challenged by way of present revision petition and the same stands dismissed.

January 11, 2015
naresh.k

(SHEKHER DHAWAN)
JUDGE