

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

233

CR-1660-2014

Date of Decision: 29.08.2017

Grindlay Forestry (India) Limited
through its Director

.....Petitioner

Versus

Narinder Kumar and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAMESHWAR SINGH MALIK.

Present: Mr.Dheeraj Chawla, Advocate,
for the petitioner.

Mr.Ajay Ghangas, Advocate,
for respondent Nos.1 and 2.

None for respondent No.3.

RAMESHWAR SINGH MALIK, J.(Oral)

Present revision petition, at the hands of plaintiff, filed under Article 227 of the Constitution of India, is directed against the order dated 12.02.2014 (Annexure P-6) passed by the learned trial court, whereby application moved by the plaintiff under Order 6 Rule 17 and also under Order 1 Rule 10 read with Section 151 of the Code of Civil Procedure (for short "the CPC") was dismissed, declining the request for amendment of the plaint and impleadment of defendant Nos.5 and 6 as parties/defendants.

Notice of motion was issued.

Heard learned counsel for the parties.

Keeping in view the nature of controversy involved, coupled with the observations made by the learned trial court in para 19 of the

impugned order particularly at page 52 of the paper-book, learned counsel

for respondent Nos.1 and 2 very rightly and graciously states that in case the plaintiff does not intend to lead any further evidence after impleading the State Authorities as parties/defendants, he would have no objection in setting aside the impugned order.

Faced with the above, learned counsel for the petitioner also fairly states that the plaintiff shall not lead any further evidence. He submits that no further evidence is required to be led after impleading the State Authorities i.e. The Land Acquisition Collector and Haryana Urban Development Authority as parties/defendants, by formal amendment in the plaint.

In view of the abovesaid fair stand taken on behalf of both the parties, impugned order dated 12.02.2014 (Annexure P-6) passed by the learned trial court is hereby set aside. Application moved by the plaintiff under Order 6 Rule 17 as well as under Order 1 Rule 10 read with Section 151 CPC would stand allowed. However, it is clarified that the plaintiff shall not be permitted to lead any further evidence after amending his plaint and impleading The Land Acquisition Collector and Haryana Urban Development Authority as parties/defendants, as stated by learned counsel for the plaintiff-petitioner.

Resultantly, with the above-said observations made, the present revision petition stands disposed of.

August 29, 2017
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(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No