

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

Civil Revision No.156-2017

Date of decision: January 16, 2017

Ranjit Singh and another

...Petitioners

Versus

Kashmira Singh & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Bhanu Pratap Singh, Advocate for the petitioners.

Rajan Gupta, J.(oral)

Present revision petition is directed against the order dated 28.10.2016, passed by the trial court, whereby application for producing amended site plan has been rejected.

Learned counsel for the petitioners has assailed the order. According to him, amended site plan is necessary to be produced in order to rectify inadvertent error regarding name of owner and dimension of the house in dispute. Thus, order passed by the court below is erroneous and therefore, deserves to be set-aside.

I have heard learned counsel for the petitioners and given careful thought to the facts of the case.

It appears, a suit for declaration with consequential relief of possession as well as permanent injunction was filed by the plaintiff/petitioners seeking ownership of the land as well as house mentioned in the plaint and also restraining defendants from alienating or changing nature of the suit property. During the pendency of suit, plaintiffs filed instant

application for permitting them to produce fresh site plan. This plea was rejected by the court vide order dated 28.10.2016 by observing that already two site plans have been exhibited in statement of PW1 and PW5 and there is no provision to produce amended site plan. I find no infirmity with the order passed. It is inexplicable why proper description of property was not given in the site plans earlier exhibited as Ex.P-4 and Ex.PW5/B respectively. Revision petition is, thus, without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

January 16, 2017
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No